

(6) Establish awards and recognition programs to recognize successful installation efforts to eliminate intoxicated driving. Ensure that criteria for these awards are positive in nature and include more than just apprehensions for intoxicated driving.

(7) Modify policies and procedures when required by host nation treaties or agreements.

(c) *Major Army commanders.* Major Army commanders will ensure subordinate installations utilizing automated vehicle registration programs implement Vehicle Registration System-2 (VRS-2) when fielded.

(d) *Commanding General, U.S. Army Training and Doctrine Command (CG, TRADOC).* The CG, TRADOC will ensure that VRS-2 technical training for functional users is incorporated into service school instructional programs.

(e) *Installation or activity commander.* The installation or activity commander will—

(1) Establish an effective traffic supervision program.

(2) Cooperate with civil police agencies and other local government agencies or civil traffic organizations concerned with traffic supervision.

(3) Ensure that traffic supervision is properly integrated in the overall installation traffic safety program.

(4) Actively participate in Alcohol Safety Action Projects (ASAP) in neighboring communities.

(f) *Installation or activity law enforcement officer.* The installation or activity law enforcement officer will—

(1) Exercise overall staff responsibility for directing, regulating, and controlling traffic, and enforcing laws pertaining to traffic control.

(2) Perform traffic engineering functions at installations by conducting traffic control studies designed to obtain information on traffic problems and usage patterns.

(g) *Safety officer.* The safety officer will participate in and develop traffic accident prevention initiatives in support of the installation traffic safety program.

(h) *Facility engineer (public works officer at Navy installations).* The facility engineer or engineer officer, will—

(1) Perform that phase of engineering concerned with the planning, design,

construction, and maintenance of streets, highways, and abutting lands.

(2) Select, determine appropriate design, procure, construct, install, and maintain permanent traffic and parking control devices in coordination with the law enforcement officer and safety officer.

(3) Ensure that traffic signs, signals, and pavement markings conform to the standards in the current Manual on Uniform Traffic Control Devices for Streets and Highways.

(4) Ensure that planning, design, construction, and maintenance of streets and highways conform to the NHSPS as implemented by the Services.

(i) *Traffic engineer.* The traffic engineer, in close coordination with the law enforcement officer, will—

(1) Conduct formal traffic engineering studies.

(2) Apply traffic engineering measures, including traffic control devices, to reduce the number and severity of traffic accidents. (If there is no installation traffic engineer, installation commanders may request these services through channels from the Commander, Military Traffic Management Command, 5611 Columbia Pike, Falls Church, VA 22041-5050.)

(j) *Army Alcohol and Drug Control Officer (ADCO).* The ADCO will provide treatment and education services to personnel with alcohol or drug abuse problems.

(k) *Navy Counseling and Assistance Center (CAAC) Directors.* These directors will—

(1) Supervise the alcohol/drug rehabilitation services to personnel with alcohol or drug abuse problems.

(2) Provide remedial/motivational education for all persons identified as alcohol or drug abusers who are evaluated as not dependent on alcohol or drugs and who have been referred to Level One rehabilitation by their commands.

(l) *Marine Corps Substance Abuse Program Officer.* This officer will provide alcohol/drug education, treatment, and rehabilitation services to personnel with alcohol/drug abuse problems.

(m) *DLA Employee Assistance Program Officer*. This officer will provide alcohol/drug counseling and referral services to identified personnel with alcohol/drug abuse problems in accordance with procedures prescribed by the Chief, Staffing, Labor, and Employee Relations Division, Office of Civilian Personnel, HQ DLA.

§ 634.5 Program objectives.

The objectives of motor vehicle traffic supervision are to assure—

(a) Safe and efficient movement of personnel and vehicles.

(b) Reduction of traffic deaths, injuries, and property damage from traffic accidents. (Because most traffic accidents can be prevented, motor vehicle accidents should be examined in terms of the roadway conditions, environment, operator, vehicle, and the supervision and control measures involved.)

(c) Integration of installation safety, engineering, legal, medical, and law enforcement resources into the installation traffic planning process.

(d) Removal of intoxicated drivers from installation roadways followed by the expeditious application of appropriate sanctions.

Subpart B—Driving Privileges

§ 634.6 Requirements for driving privileges.

(a) Driving a Government vehicle or POV on a military installation is a privilege granted by the installation commander. Persons who accept the privilege must—

(1) Comply with laws and regulations governing motor vehicle operations on the installation.

(2) Comply with installation registration requirements in subpart C if applicable.

(3) Possess, while operating a motor vehicle and produce on demand to law enforcement personnel, the following:

(i) Proof of vehicle ownership or State registration if required by the issuing State.

(ii) A valid State, overseas command, host nation, or international driver's license and/or OF 346 (U.S. Government Motor Vehicle Operator's Identification Card), as applicable, supported by a DD Form 2A (U.S. Armed Forces

Identification Card) or other identification for non-Department of Defense (DOD) civilians.

(iii) A valid record of motor vehicle safety inspection if required.

(b) Operators of Government motor vehicles must have proof of authorization to operate the vehicle.

§ 634.7 Stopping and inspecting personnel or vehicles.

(a) Military vehicles may be stopped by law enforcement personnel on military installations based on the installation commander's policy.

(1) In overseas areas, military vehicles may be stopped on or off installations as determined by host nation agreement and command policy.

(2) Stops and inspections of vehicles at installation gates or entry points and in restricted areas will be conducted according to separate Service policy.

(3) Stops and inspections of POVs within the military installation, other than at restricted areas or at an installation gate, are authorized only when there is a reasonable basis to believe the stop/inspection is necessary to enforce a traffic regulation or the stop is based on suspicion of criminal activity. (Army users, see AR 210-10. Marine Corps users, pending publication of a specific Marine Corps order, will be guided by Military Rules of evidence 311-316 and local command regulations. DLA users, see DLAR 5700.7.)

(b) At the time of stop, the driver and occupants may be required to display all pertinent documents, including but not limited to—

(1) DD Form 2A.

(2) Documents that establish the identity and status of civilians; for example, DD Form 1173 (Uniformed Services Identification and Privilege Card), DA Form 1602 (Civilian Identification), AF Form 354 (Civilian Identification Card), DLA Form 572 (Identification Card), DLA Form 1486 (Application for Identification Card), post pass, or national identity card.

(3) Proper POV registration documents.

(4) Host nation vehicle registration documents if applicable.

(5) Authorization to operate a U.S. Government vehicle if applicable.

(6) Drivers license or OF 346 valid for the particular vehicle and area of operation.

§634.8 Implied consent to blood, breath, or urine tests.

Persons accepting installation driving privileges shall be deemed to have given their consent to evidential tests for alcohol or other drug content of their blood, breath, and/or urine if lawfully stopped, apprehended, or cited for any offense allegedly committed while driving or in physical control of a motor vehicle on the installation while under the influence of intoxicants.

§634.9 Implied consent to impoundment.

Any person granted the privilege of operating a motor vehicle on an installation shall be deemed to have given his or her consent for the removal and temporary impoundment of the POV when it is parked illegally for unreasonable periods, interfering with operations, creating a safety hazard, disabled by accident, left unattended in a restricted or controlled area, or abandoned. Such persons further agree to reimburse the United States for the cost of towing and storage should their motor vehicle be removed or impounded. Existence of the conditions described above will be determined by the installation commander or designee.

§634.10 Suspension or revocation of driving privileges.

The installation commander (or designee not assigned primarily to law enforcement duties) may, for cause, administratively suspend or revoke driving privileges on the installation. The suspension or revocation of installation driving privileges or POV registrations, for lawful reasons unrelated to traffic violations or safe vehicle operation, is not limited or restricted by this regulation.

(a) *Suspension.* (1) Driving privileges are usually suspended when other measures have failed to improve a driver's performance. Measures should include counseling, remedial driving training, and rehabilitation programs. Driving privileges may also be suspended for up to 6 months if a driver

continually violates installation parking regulations. The commander will determine standards for suspension based on frequency of parking violations and publish those standards.

(2) The installation commander has discretionary power to withdraw the authorization of active duty military personnel, DOD civilian employees, and nonappropriated fund (NAF) employees to operate U.S. Government vehicles.

(3) Immediate suspension of installation or overseas command POV driving privileges pending resolution of an intoxicated driving incident is authorized for active duty military personnel, family members, retired members of the military services, DOD civilian personnel, and others with installation or overseas command driving privileges regardless of the geographic location of an intoxicated driving incident. Suspension is authorized for non-DOD affiliated civilians only with respect to incidents occurring on the installation or in areas subject to military traffic supervision. After a review of available evidence as specified in §634.11, installation driving privileges will be immediately suspended pending resolution of the intoxicated driving incident in the following circumstances;

(i) Refusal to take or complete a lawfully requested chemical test to determine contents of blood for alcohol or other drugs.

(ii) Operating a motor vehicle with a blood alcohol content (BAC) of 0.10 percent by volume or higher or in violation of the law of the jurisdiction that is being assimilated on the military installation.

(iii) Operating a motor vehicle with a BAC of at least 0.05 percent by volume but less than 0.10 percent blood alcohol by volume in violation of the law of the jurisdiction in which the vehicle is being operated if the jurisdiction imposes a suspension solely on the basis of the BAC level.

(iv) On an arrest report or other official documentation of the circumstances of an apprehension for intoxicated driving.

(b) *Revocation.* (1) The revocation of installation or overseas command POV driving privileges is a severe administrative measure to be exercised for serious moving violations or when other

available corrective actions fail to produce the desired driver improvement. Revocation of the driving privilege will be for a specific period, but never less than 6 months, applies at all military installations, and remains in effect on reassignment.

(2) Driving privileges are subject to revocation when an individual fails to comply with any of the conditions requisite to the granting of the privilege. (See §634.6.) Revocation of installation driving and registration privileges is authorized for military personnel, family members, civilian employees of DOD, and other individuals with installation driving privileges. For civilian guests, revocation is authorized only with respect to incidents occurring on the installation or in the areas subject to military traffic supervision.

(3) Driving privileges will be revoked for a mandatory period of not less than 1 year in the following circumstances:

(i) The installation commander or designee has determined that the person lawfully apprehended for intoxicated driving refused to submit to or complete a test to measure the alcohol content in the blood, or detect the presence of any other drug, as required by the law of the jurisdiction, installation traffic code, or by Service directive.

(ii) A conviction, nonjudicial punishment, or a military or civilian administrative action resulted in the suspension or revocation of a driver's license for intoxicated driving. Appropriate official documentation of such conviction is required as the basis for revocation.

(4) When temporary suspensions under §634.10(a)(3) are followed by revocations, the period of revocation is computed beginning from the date the original suspension was imposed, exclusive of any period during which full driving privileges may have been restored pending resolution of charges. (Example: privileges were initially suspended on 1 January 1996 for a charge of intoxicated driving with a blood alcohol content of 0.14 percent. A hearing was held, extreme family hardship was substantiated, and privileges were restored on 1 February pending resolution of the charge. On 10 March, the driver was convicted for intoxicated

driving. The mandatory 1-year revocation period will consist of January 1996 plus March 1996 through January 1997, for a total of 12 months with no installation driving privileges.)

§634.11 Administrative due process for suspensions and revocations.

(a) Individual Services will promulgate separate regulations establishing administrative due process procedures for suspension or revocation of driving privileges. The procedures in paragraphs (b) and (c) of this section apply to actions taken by Army commanders with respect to Army military personnel and family members and to civilian personnel operating motor vehicles on Army installations. For Marine Corps users, the provisions of this paragraph apply pending publication of a Marine Corps order addressing administrative due process.

(b) For offenses other than intoxicated driving, suspension or revocation of the installation driving privilege will not become effective until the installation commander or designee notifies the affected person and offers that person an administrative hearing. Suspension or revocation will take place 10 days after this written notice is received unless an application for a hearing is made by the affected person within this period. Such application will stay the pending suspension or revocation for a period of 10 days.

(1) If, due to action by the Government, a hearing is not held within 10 days, the suspension will not take place until such time as the person is granted a hearing and is notified of the action of the installation commander or designee. However, if the affected person requests that the hearing be continued to a date beyond the 10-day period, the suspension or revocation will become effective immediately on receipt of notice that the request for continuance has been granted.

(2) If it is determined as the result of a hearing to suspend or revoke the affected person's driving privilege, the suspension or revocation will become effective when the person receives the written notification of such action. In the event that written notification cannot be verified either through a returned receipt for mail or delivery