

and the material or information required to perform it.

(c) To comply with local law or international agreement or arrangements, a commander may impose further restrictions on using deadly force. (Restrictions should not unduly compromise U.S. security interests).

(d) Security criteria and standards for protection of nuclear weapons (paragraph (c) of this section AR 50-5-1) and for chemical agents (paragraph (c) of this section AR 50-6-1) also apply.

**§ 632.5 Use of firearms.**

(a) If it becomes necessary to use a firearm in any of the circumstances described in §632.4 of this part, observe the following precautions when possible:

- (1) Give an order to halt before firing.
- (2) Do not fire if shots are likely to harm innocent bystanders.
- (3) Since warning shots could harm innocent bystanders, avoid firing them. However, when lesser degrees of force have failed, the law enforcement or security person may judge that warning shots would help to control the situation without using deadly force. If able to avoid hazards to innocent persons in these cases, fire warning shots.
- (4) Aim to disable. At times it may be difficult to fire with enough precision to ensure disabling rather than killing. If the use of firearms are otherwise authorized by this regulation, such circumstances will not rule out their use.

**§ 632.6 Administrative instructions.**

(a) Commanders will ensure that all persons assigned to law enforcement, security, or US military prisoners' guard duties will, before performing these duties—

- (1) Receive instructions on regulations regarding use of force.
- (2) Show knowledge and skill in the use of—
  - (i) Unarmed defense techniques.
  - (ii) MP club.
  - (iii) Individual chemical aerosol irritant projectors.
  - (iv) Their assigned firearms.
- (b) Commanders will also—
  - (1) Provide periodic refresher training to ensure continued proficiency and updated knowledge in these skills. (In-

clude applicable host nation requirements.)

(2) Require MPs with law enforcement duties to qualify yearly with their assigned handguns.

(3) Require interior guards to receive instructions regarding use of force. (Give periodic refresher training to ensure continued familiarity with regulations.)

(c) Requirements concerning use of the MP club and chemical aerosol irritant projectors apply only when these weapons are issued items or are carried on duty.

(d) FM 19-5 contains procedures and methods for using unarmed defense techniques and the MP club.

**PART 633—INDIVIDUAL REQUESTS FOR ACCESS OR AMENDMENT OF CID REPORTS OF INVESTIGATION**

- Sec. 633.11 Access to CID reports.
- 633.12 Amendment to CID reports.
- 633.13 Submission of requests.

AUTHORITY: Sec. 3012, 70A Stat. 157; 10 U.S.C. 3012.

SOURCE: 44 FR 44156, July 27, 1979, unless otherwise noted.

**§ 633.11 Access to CID reports.**

All requests for access to CID reports made under the Privacy or Freedom of Information Acts will be processed in accordance with AR 340-21 and AR 340-17, respectively.

**§ 633.12 Amendment to CID reports.**

USACIDC reports of investigation (ROI) are exempt from the amendment provisions of the Privacy Act and AR 340-21. Requests for amendment will be considered only under the provisions of this regulation. Requests to amend USACIDC reports will be granted only if the individual submits new, relevant and material facts that are determined to warrant their inclusion in or revision of the ROI. The burden of proof is on the individual to substantiate the request. Requests to delete a person's name from the title block will be granted only if it is determined that there is not probable cause to believe

## § 633.13

that the individual committed the offense for which he or she is listed as a subject. It is emphasized that the decision to list a person's name in the title block of a USACIDC report of investigation is an investigative determination that is independent of whether or not subsequent judicial, nonjudicial or administrative action is taken against the individual. Within these parameters, any changes in the ROI rest within the sole discretion of the Commanding General. USACIDC, whose decision will constitute final action on behalf of the Secretary of the Army with respect to this regulation.

### § 633.13 Submission of requests.

Requests for access to or amendment of USACIDC investigative reports will be forwarded to Commander, USACIDC, ATTN: CIJA-RI, 5611 Columbia Pike, Falls Church, VA 22041.

## PART 634—MOTOR VEHICLE TRAFFIC SUPERVISION

### Subpart A—Introduction

Sec.

- 634.1 Purpose.
- 634.2 References.
- 634.3 Explanation of abbreviations and terms.
- 634.4 Responsibilities.
- 634.5 Program objectives.

### Subpart B—Driving Privileges

- 634.6 Requirements for driving privileges.
- 634.7 Stopping and inspecting personnel or vehicles.
- 634.8 Implied consent to blood, breath, or urine tests.
- 634.9 Implied consent to impoundment.
- 634.10 Suspension or revocation of driving privileges.
- 634.11 Administrative due process for suspensions and revocations.
- 634.12 Army administrative actions against intoxicated drivers.
- 634.13 Remedial driver training programs.
- 634.14 Alcohol and drug abuse programs.
- 634.15 Restoration of driving privileges on acquittal.
- 634.16 Restricted driving privileges or probation.
- 634.17 Extensions of suspensions and revocations.
- 634.18 Reciprocal State-military action.

### Subpart C—Motor Vehicle Registration

- 634.19 Registration policy.

## 32 CFR Ch. V (7–1–02 Edition)

- 634.20 Registration requirements.
- 634.21 Specifications for DD Form 2220.
- 634.22 Termination or denial of registration.
- 634.23 Specified consent to impoundment.

### Subpart D—Traffic Supervision

#### SECTION I—TRAFFIC PLANNING AND CODES

- 634.24 Traffic planning.
- 634.25 Installation traffic codes.

#### SECTION II—TRAFFIC LAW ENFORCEMENT

- 634.26 Traffic law enforcement principles.
- 634.27 Speed-measuring devices.
- 634.28 Traffic accident investigation.
- 634.29 Traffic accident investigation reports.
- 634.30 Traffic accident investigation report data.
- 634.31 Parking.
- 634.32 Traffic violation reports.

#### SECTION III—STANDARDS AND PROCEDURES FOR PROCESSING DRUNK DRIVERS

- 634.33 Training of law enforcement personnel.
- 634.34 Blood alcohol concentration standards.
- 634.35 Chemical testing policies and procedures.
- 634.36 Detection, apprehension, and testing of intoxicated drivers.
- 634.37 Voluntary breath and bodily fluid testing based on implied consent.
- 634.38 Involuntary extraction of bodily fluids in traffic cases.
- 634.39 Testing at the request of the apprehended person.
- 634.40 Preparation of sworn statement.

#### SECTION IV—OFF-INSTALLATION TRAFFIC ACTIVITIES

- 634.41 General.
- 634.42 Compliance with State laws.
- 634.43 Civil-military cooperative programs.

### Subpart E—Driving Records and the Traffic Point System

- 634.44 Driving records.
- 634.45 The traffic point system.
- 634.46 Point system application.
- 634.47 Point system procedures.
- 634.48 Disposition of driving records.

### Subpart F—Impounding Privately Owned Vehicles

- 634.49 General.
- 634.50 Standards for impoundment.
- 634.51 Towing and storage.
- 634.52 Procedures for impoundment.
- 634.53 Search incident to impoundment based on criminal activity.
- 634.54 Disposition of vehicles after impoundment.