

Department of the Army, DoD

§ 634.46

Assessment 5: Loss of OF 46 for minimum of 6 months is discretionary.

Violation: Receiving a second 1-year suspension or revocation of driving privileges within 5 years.

NOTES:

1. When imposing a suspension or revocation because of an off-installation offense, the effective date should be the same as the date of civil conviction, or the date that State or host-nation driving privileges are suspended or revoked. This effective date can be retroactive.

2. No points are assessed for revocation or suspension actions. Except for implied consent violations, revocations must be based on a conviction by a civilian court or courts-martial, nonjudicial punishment under Article 15, UCMJ, or a separate hearing as addressed in this regulation. If revocation for implied consent is combined with another revocation, such as 1 year for intoxicated driving, revocations may run consecutively (total or 24 months) or concurrently (total of 12 months). The installation commander's policy should be applied systematically and not on a case-by-case basis.

§ 634.45 The traffic point system.

The traffic point system provides a uniform administrative device to impartially judge driving performance of Service and DLA personnel. This system is not a disciplinary measure or a substitute for punitive action. Further, this system is not intended to interfere in any way with the reasonable exercise of an installation commander's prerogative to issue, suspend, revoke, deny, or reinstate installation driving privileges.

§ 634.46 Point system application.

(a) The Services and DLA are required to use the point system and procedures prescribed herein without change.

(b) The point system in table 634.46 applies to all operators of U.S. Government motor vehicles, on or off Federal property. The system also applies to violators reported to installation officials in accordance with § 634.32.

(c) Points will be assessed when the person is found to have committed a violation and the finding is by either the unit commander, civilian supervisor, a military or civilian court (including a U.S. Magistrate), or by pay-

ment of fine, forfeiture of pay of allowances, or posted a bond, or collateral.

TABLE 634.46—POINT ASSESSMENT FOR MOVING TRAFFIC VIOLATIONS (SEE NOTE 1.)

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

Points assessed: 6

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

Points assessed: 6

Violation: Fleeing the scene (hit and run)-property damage only.

Points assessed: 6

Violation: Driving vehicle while impaired (blood-alcohol content more than 0.05 percent and less than 0.10 percent).

Points assessed: 6

Violation: Speed contests.

Points assessed: 6

Violation: Speed too fast for conditions.

Points assessed: 2

Violation: Speed too slow, causing potential safety hazard.

Points assessed: 2

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

Points assessed: 2

Violation: Failure to properly restrain children in a child restraint system while moving (when child is 4 years of age or younger or the weight of child does not exceed 45 pounds).

Points assessed: 2

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

Points assessed: 3

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

Points assessed: 4

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

Points assessed: 5

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

Points assessed: 6

Violation: Following too close.

Points assessed: 4

Violation: Failure to yield right of way to emergency vehicle.

Points assessed: 4

Violation: Failure to stop for school bus or school-crossing signals.

Points assessed: 4

Violation: Failure to obey traffic signals or traffic instructions of an enforcement officer or traffic warden; or any official regulatory traffic sign or device requiring a full stop or yield of right of way; denying entry; or requiring direction of traffic.

Points assessed: 4