

## Department of the Army, DoD

## § 634.7

(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.

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(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

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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