



UNITED STATES MARINE CORPS

MARINE CORPS AIR STATION YUMA
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SPMO

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STATION ORDER P5560.3B

From: Commanding Officer, Marine Corps Air Station Yuma
To: Distribution List

Subj: TRAFFIC ENFORCEMENT REGULATIONS

Ref: (a) Marine Corps Manual
(b) MCO 5110.1D Motor Vehicle Traffic Supervision
(c) MCO P5580.2 Marine Corps Law Enforcement Manual
(d) Constitution of the United States
(e) Manual for Courts-Martial (2002 edition)
(f) Navy Regulations of 1990
(g) MCO 5100.19E Marine Corps Traffic Safety Program
(h) StaO 5100.11F
(i) Policy Letter of Illegal Drug Activity of 14 Mar 00
(j) MCO 1700.24B Marine Corps Substance Abuse Program
(k) MCO 5512.11C Armed Services Identification
Eligibility
(l) DoD Manual 4160.21-M Defense Material Disposition
Manual
(m) Title 10 USC 2575 Armed Forces
(n) Arizona Revised Statutes

Encl: (1) Locator Sheet
(2) Violations and Administrative Actions
(3) Vehicle Safety and Equipment Requirements
(4) Motorcycle Safety and Equipment Requirements
(5) Preliminary Suspension of Driving Privileges Letter

1. Purpose. To promulgate traffic regulations and traffic court procedures for Marine Corps Air Station (MCAS) Yuma. Chapter 4 and enclosure (2) of these regulations contain punitive orders. In the case of service members, violations of these prohibitions may result in prosecution under the Uniform Code of Military Justice (UCMJ) or result in adverse administrative action. In the case of civilians, violations may result in administrative sanctions.

2. Cancellation. StaO P5560.3A

StaO P5560.3B

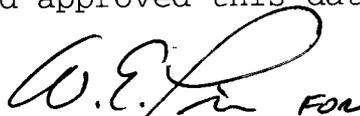
3. Summary of Revision. This Station Order contains substantial changes and should be reviewed in its entirety.

a. Cannon Air Defense Compound, 16th Street Military Housing, and the Chocolate Mountain Bombing Range, regardless of military status, business status, visitor status or nationality.

4. Background. Section D, paragraph 1300 of reference (a) tasks Commanding Officers with responsibility for the preservation of good order and discipline. Chapter 4, paragraph 4-2 of reference (b) indicates installation commanders will establish traffic enforcement regulations.

5. Action. All persons aboard MCAS property will comply with this Manual. All Commanding Officers and MCAS Department Heads will ensure that this order is well publicized and disseminated to all their members.

6. Certification. Reviewed and approved this date.


B. D. HANCOCK
LTJG USMC
ACTING

DISTRIBUTION: B

TRAFFIC ENFORCEMENT REGULATIONS

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TRAFFIC ENFORCEMENT REGULATIONS

CHAPTER 1

GENERAL INFORMATION

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TRAFFIC ENFORCEMENT REGULATIONS

CHAPTER 1

GENERAL INFORMATION

1000. AUTHORITY. Pursuant to the powers and authority vested in the Commanding Officer (CO), MCAS Yuma, by section D, paragraph 1300 of reference (b), the regulations set forth herein are established to govern the registration and operation of all vehicular and pedestrian traffic on MCAS property.

1001. ENFORCEMENT. Pursuant to the authority detailed in Chapter I, paragraph 1200 of reference (c), the MCAS Provost Marshal has delegated the authority to enforce these regulations. Military Police (MPs) assigned to the Provost Marshal are the agents through whom the exercises police power.

1. MPs are authorized to enforce these regulations by the powers and authority granted to them by all law enforcement personnel per references (a), and (c) through (f).

2. No person shall willfully fail to comply with any lawful order or direction of MP personnel invested by regulations with the authority to direct, control, or regulate traffic on MCAS property.

1002. JURISDICTION

1. With one exception, the jurisdictional authority on MCAS property is proprietary only. MCAS has exclusive jurisdiction on the northern part of the Chocolate Mountain Arial Gunnery Range.

2. Since the jurisdictional authority an all MCAS property in the State of Arizona is proprietary only, Arizona Revised Statutes cannot be assimilated. Thus, Arizona state traffic laws cannot be enforced against civilians aboard MCAS property. Civilians violating these regulations will be subjected to administrative sanctions as provided by this regulation. In cases involving serious violations such as driving under the influence, suspended vehicle registration, or unlicensed driving, MPs may exercise their authority to detain the civilian suspects for local law enforcement agencies to assume jurisdiction.

3. Service members will be subject to administrative sanctions as provided by these regulations. In addition, service members may be prosecuted under the Uniform Code of Military Justice, reference (e), for violations of punitive orders herein contained.

1003. VIOLATIONS

1. The regulations set forth in this order are punitive orders on which administrative, disciplinary or punitive proceedings may be based.

2. Any disciplinary or punitive measures taken shall be in addition to any administrative sanction that may be imposed by the Station Traffic Court pursuant to Chapter 7 of this order.

3. The provisions of this order are to be construed as complementary to other laws and regulations.

1004. DEFINITIONS. Definitions used in this regulation are as follows:

1. Driving Privilege. The privilege extended by the Station to an individual permitting the operation of a motor vehicle aboard MCAS property, to also include the Barry M. Goldwater Range, Cannon Air Defense Compound, 16th Street Military Housing, and the Chocolate Mountain Bombing Range, regardless of military status, business status, visitor status or nationality. This privilege, once extended, is subject to administrative suspension or revocation for cause as determined by the CO. Upon such administrative action, all privately owned vehicles (POVs) registered to the individual against whom the action is taken will automatically be deregistered, and the Department of Defense (DoD) decal removed. Individuals may apply to re-register their vehicles after their driving privileges are reinstated.

2. Emergency Vehicles. MPs, Fire, Crash Fire Rescue vehicles (P-19s), ambulances, and other such vehicles may be designated or authorized as emergency vehicles by the Station CO. An emergency vehicle must be equipped with an external audible siren and red, or red and blue, lights visible under normal atmospheric conditions from a distance of five hundred feet to the front of the vehicle.

3. Incidental Driver. A driver who is driving a registered vehicle of a registered owner who has willingly loaned his/her vehicle to the driver for personal reasons. The use of the vehicle is for a short period of time not to exceed twenty-four hours.
4. Moped. A two-wheeled scooter for the rider's use, which is powered by an electric or fuel engine with a maximum piston displacement of less than fifty cubic centimeters.
5. Motorcycles. Any motor vehicle with a minimum piston displacement of fifty cubic centimeters or greater, having a seat or saddle for the use of the rider, designed to travel with not more than three wheels in contact with the ground (motorcycle with side car attached), but excluding a moped, motorized bicycle, and bicycle.
6. Motorized Bicycle. A two wheeled conveyance having a seat or saddle for the rider's use which can be driven either by person using pedals or by electric energy.
7. Motorized Skateboard. A self propelled skateboard that has a motor, a desk on which a person may ride and at least two wheels in contact with the ground.
8. Motor Vehicle. Any vehicle that is self-propelled.
9. Pedestrians. Shall include all persons who walk, run, jog, speed walk, etc., on or near a roadway.
10. Recreational Vehicle. Any vehicle used for pleasure or recreational purposes and is not considered a primary means of transportation; to include but not be limited to travel trailers, dirt bikes (off road motorcycles), all terrain vehicles, boats, personal water craft, sand rails, campers, camper shells, utility trailers and motor homes.
11. Respondent. Any person appearing before the Traffic Court.
12. Revocation of Drivers License. The formal action of termination, by state authority, of a person's drivers license or privilege to operate a motor vehicle on a public highway. Termination of a license, as such, is not subject to restoration except by an application presented to and acted upon by the state after the revocation period has expired. Once a person's

drivers license is revoked, that person is no longer authorized to operate a motor vehicle on a military installation, for they are no longer "licensed" to drive.

13. Revocation of Driving Privileges. Action taken by the CO to terminate an individual's privilege to operate a motor vehicle on a military installation for a specific period, but never less than six months. This action precludes renewal or restoration except by application only after the specified period of time has elapsed.

14. Suspension of Drivers License. The formal action of temporary withdrawal, by state authority, of a person's license or privilege to operate a motor vehicle on a public highway. This temporary withdrawal is for a specified period of time. Once a person's drivers license is suspended, that person is no longer authorized to operate a motor vehicle on a military installation, as he/she is no longer "licensed" to drive.

15. Suspension of Driving Privileges. The temporary withdrawal by the CO of an individual's privilege to operate a motor vehicle on a military installation for a specified period of time, not to exceed six months.

16. Third Party Citation (TPC). A report of any violations documented by an individual who observes a violation of the Station Traffic Regulations. A TPC will be considered a sworn statement of a violation reported processing by Station Traffic Court.

17. Vehicle. A device by which a person or property may be propelled, moved, or drawn upon a highway, except a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

TRAFFIC ENFORCEMENT REGULATIONS

CHAPTER 2

DRIVING PRIVILEGES

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TRAFFIC ENFORCEMENT REGULATIONS

CHAPTER 2

DRIVING PRIVILEGES

2000. GENERAL. Driving a government vehicle (GOV) or POV aboard MCAS Yuma is a privilege granted by the CO, MCAS Yuma.

2001. REQUIREMENTS FOR DRIVING PRIVILEGES. Per reference (b), all persons who accept the privilege of driving aboard MCAS Yuma must:

1. Comply with the previous information contained in this manual.

2. Comply with station registration requirements contained in Chapter 3 of this Manual.

3. Possess, while operating a motor vehicle, and produce on demand to MP personnel:

a. Proof of vehicle ownership, authorized use and/or state registration.

b. A valid state drivers license or military operator's permit.

c. Proof of insurance, a minimum coverage of \$15,000 liability, \$30,000 personal injury, and \$10,000 property damage; or if the state of legal residence where the vehicle is lawfully registered requires a higher minimum for liability, personal injury and/or property damage, to carry that state's minimum amount of insurance coverage necessary for valid registration.

d. If entering MCAS Yuma with a current, valid issued DoD decal from another installation, to possess any documentation required to be carried by the installation issuing the DoD decal.

4. Operators of POVs, motorcycles, motorized bicycles, and motorized scooters, in addition to the requirements contained in this order, shall comply with safety and equipment requirements outlined in enclosures (3) and (4).

5. Operators of GOVs must have proof of authorization to operate the vehicle.

2002. STOPPING AND INSPECTING PERSONNEL AND VEHICLES

1. All vehicles and personnel entering or leaving MCAS Yuma are subject to search. All vehicles shall come to a stop at the gate unless posted or directed otherwise to proceed by the MPs.

2. All packages, lunch boxes, tool kits, bundles, or containers of any kind carried by persons entering/departing MCAS Yuma are subject to search and may be opened for inspection upon entering or departing the station.

3. MPs will conduct random vehicle inspections under Military Rules of Evidence, reference (e), to ensure the safety and security of MCAS Yuma. Specially trained detector dogs and detection equipment are authorized for these inspections.

a. A vehicle safety inspection may be performed during random vehicle inspections.

b. Safety inspections shall evaluate the tires, horn, lighting, wipers excessive exhaust noise, turn signals, brakes, suspension and vehicle modifications.

c. Stops and inspections of POVs within the military installation, other than at point of entry or exit gates or command directed, are authorized only when there is a reasonable basis to believe the stop or inspection is necessary to enforce a traffic regulation or the stop is based on suspicion of criminal activity.

d. Drivers of commercial vehicles will present to the MPs a shipping document, bill of lading, or other appropriate document that identifies the contents of the vehicle in addition to a valid drivers license.

e. At the time of the stop, the driver and occupants may be required to display all pertinent documents, including but not limited to:

(1) DD Form 2A (Armed Forces Identification Card).

(2) Documents that establish the identity and status of civilians; for example, DD Form 1173 (Uniformed Services Identification and Privilege Card).

- (3) Proper POV state registration documents.
- (4) Proper POV station registration documents.
- (5) Valid proof of vehicle insurance.
- (6) Authorization to operate a U.S. Government vehicle (tactical or commercial), if applicable.
- (7) Drivers license of OF 346 valid for the particular vehicle and area of operation.

2003. TRAFFIC POINT SYSTEM

1. Purpose. The traffic point system provides a uniform administrative to impartially judge driving performance of personnel driving on the station. This system is not a disciplinary measure or a substitute for punitive action. Points will be assessed as indicated in enclosure (2).

2. Applicability. The point system contained in enclosure (2) applies to everyone granted the privilege of operating a motor vehicle on MCAS Yuma property to also include the Barry M. Goldwater Range, Cannon Air Defense Compound, 16th Street Military Housing, and the Chocolate Mountain Bombing Range, regardless of military status, business status, visitor status or nationality, and to all operators of GOVs cited for traffic violations on or off the station.

3. Action

a. Any individual who accumulates 12 points within any given 12 month period or 18 points within any given 24 month period will have their station driving privileges revoked for a 12 month period.

b. Commanding Officers/Supervisors: Upon notification, ensure that counseling or a driver improvement interview is conducted to the Service Member or DoD civilian cited. This process should result in recommendations designed to improve driver performance, such as:

(1) Attendance at Remedial Driver Training following the identification of the individual as a problem driver, or whenever a commander concludes that such treatment may improve performance.

(2) Referral for medical evaluation when an individual, based on reasonable belief has mental or physical limitations which have had or may have an adverse effect on driving performance.

(3) Per reference (j), referral to an alcohol or drug treatment facility for evaluation, counseling, or treatment. This action is mandatory for active duty personnel in all cases in which alcohol or drugs are contributing factors to a traffic citation, incident or accident.

c. Accumulating of Points. Points assessed against a person's driving record per enclosure (2) will remain in effect for point accumulation purposes for 24 consecutive months. Upon completion of a revocation based on accumulation of points, all points assessed prior to the revocation will be removed from the driving record.

d. Driving Record Entries. Removal of points does not authorize removal of driving record entries for moving violations, chargeable accidents, suspensions or revocations. Record entries will remain posted in individual driving records for the period of time indicated below:

(1) Chargeable, non-fatal traffic accidents or moving violations - three years.

(2) Non-mandatory suspensions or revocations - five years.

(3) Mandatory revocations - seven years.

e. Driving records disposition will be established to ensure prompt notice to the Provost Marshal's Office when an individual assigned to or employed on the installation is being transferred to another installation, being released from military service, or ending employment.

(1) If individuals being transferred to a new installation have valid points or other entries on their driving

records, the Provost Marshal's Office will make appropriate entries into the Consolidated Law Enforcement Operations Center (CLEOC) system.

(2) Pending traffic citations and traffic court cases will be forwarded to the individual's new duty station for adjudication.

(3) Driving records of military personnel being discharged or released from active duty will be retained on file for two years and then destroyed. In cases of immediate reenlistment, change of officer component, or, military or civilian retirement when vehicle registration is continued, the record will remain active.

(4) Driving records of civilian personnel terminating employment will be retained on file for two years and then destroyed.

(5) Driving records of military family members containing point assessments or other entries will be forwarded to the sponsor's gaining installation in the same manner as for service members.

(6) Driving records of retirees electing to retain installation driving privileges will be retained. Points accumulated or entries on the driver's record regarding suspensions, revocations, moving violations or chargeable accidents will not be deleted from the driver's record.

2004. WITHDRAWAL OF DRIVING PRIVILEGES

1. General. The privilege of driving a vehicle on a military installation is subject to administrative termination or restriction. The termination of vehicle registration and the removal of the DoD decal is inherent to suspension or revocation of driving privileges and requires application for re-registration upon completion of the specified period of suspension or revocation.

a. Once suspended or revoked, the individual will remove all vehicles personally owned from the Station. The off station storage/parking of the vehicle will be the sole responsibility of the registered owner.

b. Commanding Officers may request authorization for their Marines and Sailors who have been suspended/revoked to operate GOVs in the official performance of their duties providing their state drivers license is not also suspended/revoked.

2. Preliminary Suspension of Driving Privileges. All persons subject to this order will have their station driving privileges temporarily suspended if apprehended or detained for an intoxicated or impaired driving (alcohol or drugs) incident either on or off station, for failing to appear for mandatory Traffic Court appearances, reckless driving, or other such serious incidents. This suspension is temporary, pending resolution of the offense with the Station Traffic Court and/or the appropriate civilian court. Operation of a motor vehicle aboard the station during the time of suspension will result in a two year revocation of station driving privileges. Upon request, a preliminary hearing may be afforded to individuals who receive a temporary suspension.

a. Station driving privileges for active duty military personnel, family members, retired members of the military services, DoD civilian personnel, contract employee personnel, or other civilian personnel will be immediately suspended pending resolution of an intoxicated or impaired (drug or alcohol) driving incident regardless of the geographical location of the incident. The Provost Marshal will issue a preliminary suspension of driving privileges letter, enclosure (5), to any person detained or apprehended for Driving While Impaired/Intoxicated with presumptive blood alcohol limit of 0.05% or higher. Intoxicated or impaired driving incidents are as follows:

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

(2) Operating a motor vehicle with a blood alcohol concentration (BAC) of .08 percent and above, Driving Under the Influence (DUI).

(3) Operating a motor vehicle with a BAC of at least .05 percent concentration but less than .08 percent, Driving While Impaired (DWI).

(4) Any person under the legal drinking age of 21 years old, who is operating a motor vehicle with any alcohol on their system will be processed for DUI.

(5) On an arrest report or other official documentation detailing an apprehension for intoxicated driving.

(6) Operating a motor vehicle under the influence of drugs.

b. Per reference (i), unit Commanding Officers shall submit a letter to the Provost Marshal suspending the driving privileges of any military member who has tested positive during a urinalysis or who is suspected of illegal drug use, possession, introduction or distribution of a controlled substance, based on credible evidence.

3. Suspension of Driving Privileges. Driving privileges are usually suspended when other measures have failed to improve driver performance. The suspension may be for a period up to six months, applies to all military installations and driving privileges are automatically reinstated after the suspension period expires.

4. Revocation of Driving Privileges. The revocation of station driving privileges is a severe administrative measure that is invoked for serious moving violations or when other available corrective actions failed to produce the desired results. Revocation of driving privileges is for a specified period, but never less than six months, applies to all military installations and remains in effect upon reassignment to a new duty station. Persons with revoked privileges must follow established procedures to have their driving privileges reinstated. See enclosure (2) for mandatory and discretionary revocations.

5. Restricted Driving Privileges. The Station CO may modify a suspension or revocation of driving privileges when warranted. Restricted driving privileges or probation is granted on a case-to-case basis, providing the state license remains valid, to accommodate the following circumstance:

- a. Mission requirements.
- b. Unusual personal or family hardships.

c. When there is no reasonably available alternate means of transportation to official assigned duties.

6. If the Traffic Court Judge imposes a suspension or revocation on a driver who is married and to whom station registration is issued, the spouse or family member of the suspended or revoked driver must report to Pass and Registration, building 952, update their current decal. The Pass and Registration Office will affix an "M" for male only driver or "F" for female only driver.

a. The suspended driver may not drive the vehicle at any time aboard the Station. When the vehicle owner has been suspended or revoked, the individual is not authorized to grant permission to operate the vehicle to anyone other than bon-a-fide military family members (e.g. properly licensed spouse or defendant).

b. Suspension or revocation of driving privileges is effective to all military installations and areas of military jurisdiction, per reference (b).

7. Probation. In lieu of a suspension of driving privileges, a driver may be placed on probation. During the probationary period, the individual is allowed to continue to drive. If the individual is involved in a chargeable accident or moving violation during the probationary period, the original period of suspension will be activated in its entirety, to commence from the date of the violation of probation.

2005. REQUEST FOR REINSTATEMENT OR RESTRICTED DRIVING PRIVILEGES

1. General. Requests for reinstatement or restricted driving privileges shall be submitted in writing to the CO (Attn: Provost Marshal) via the chain of command and then to PMO for validation of required training. PMO will endorse the request for reinstatement, and forward for the Station CO's review. Upon receipt of a favorable endorsement for the Station CO, PMO will reinstate the individual's driving privileges. Persons who refuse to submit or fail to complete chemical testing for BAC, when apprehended for DUI, or are convicted of DUI, are not eligible for reinstatement of full or restricted driving privileges unless an alcohol education treatment program and remedial drivers training course are successfully completed.

2. Restricted Driving Privileges. Requests for restricted driving privileges shall contain a detailed statement of the extraordinary circumstances justifying special consideration. Commanding Officers are requested to include an assessment of the impact on the military mission that the revocation or suspension has or is likely to have. Persons who violate restricted driving privileges are subject to revocation of driving privileges for an additional two years. All personnel applying for restricted driving privileges will complete a remedial drivers course and submit proof of attendance with the request.

3. Reinstatement Of Driving Privileges. All personnel applying for reinstatement of driving privileges will complete a remedial drivers course and submit proof of attendance with the request.

2006. ADMINISTRATIVE DUE PROCESS

1. Suspension and Revocation. For offenses other than DUI, suspension or revocation of the station driving privileges will not become effective until the effected person has appeared before an administrative hearing conducted by the Traffic Court Judge. If, as a result of the hearing, a determination is made to suspend or revoke the effected person's driving privileges, the Traffic Court Judge will, at the conclusion of the hearing, issue a letter of notification or suspension or revocation to the effected person.

a. The person whose privileges are suspended or revoked will then sign for receipt of the letter. If the person refuses to sign for the letter, the Traffic Court Clerk will annotate it on the file copy.

b. The suspension or revocation becomes effective immediately upon receipt of the letter. A person whose privileges are suspended or revoked has the right to appeal or request reconsideration to the Station CO via the Station Inspector. Suspensions and revocations remain in effect pending the resolution of appeals.

c. Appeals will be submitted via the respondent's chain of command within ten working days of the receipt of the suspension or revocation. Suspension or revocation for intoxicated driving will remain in effect until a decision has been made by the Station CO.

d. Appeals shall be reviewed within ten days of the receipt of the appeal.

e. Appeal hearings conducted on suspension actions for intoxicated driving incidents will cover only the pertinent issues of weather.

(1) The law enforcement official had reasonable grounds to believe the person was driving or actual physical control of a motor vehicle while under the influence of alcohol or drugs.

(2) The person was lawfully stopped, cited or apprehended.

(3) The person was lawfully requested to submit to a test for alcohol or drug content of blood, breath or urine, and was informed of the consequences of the refusal to take or complete such test.

(4) The person refused to submit to the test for alcohol or drug content of blood, breath, or urine; failed to complete the test; or submitted to the test and the result was 0.05 percent or higher BAC; or the person's actions indicated a lack of motor skills clearly showing the presence of other drugs and an inability to operate a motor vehicle.

(5) The testing methods used were valid and the results accurately evaluated.

2. Implied Consent to Blood Alcohol Content Testing. Per references (b) and (e), persons accepting station driving privileges have given their consent to evidential testing for alcohol and drug content of their blood, breath, or urine, if lawfully stopped, apprehended or cited for any offense allegedly committed while driving or in actual physical control of a motor vehicle on MCAS Yuma while under the influence intoxicants.

3. Notification for Evaluation or Treatment. The Provost Marshal will forward a copy of all violation reports on military and DOD civilian employees apprehended for intoxicated driving, on or off the installation:

a. Refer active duty personnel for interview and evaluation by a Level II substance abuse counselor within ten days;

b. Refer DoD civilian employees working on MCAS Yuma to the Employee Assistance Program; and

c. Family members charged with intoxicated driving, on or off the installation, will be provided assistance per reference (j).

4. Reciprocal State and Military Action

a. The Provost Marshal will notify the State of Arizona Motor Vehicle Division and/or the DMV in the state where the individual is licensed following the final adjudication, at the Traffic Court hearing or a court martial, of an intoxicated driving offense or for refusal to submit to a chemical test to determine alcohol or drug content.

b. When any state authority suspends or revokes an individual's drivers license, that individual's station driving privileges shall be suspended or revoked for an equal period of time.

TRAFFIC ENFORCEMENT REGULATIONS

CHAPTER 3

MOTOR VEHICLE REGISTRATION

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TRAFFIC ENFORCEMENT REGULATIONS

CHAPTER 3

MOTOR VEHICLE REGISTRATION

3000. GENERAL. All privately owned vehicles on MCAS Yuma, will be registered with the Provost Marshal's Vehicle Registration Order.

3001. REGULATION ELIGIBILITY. Per reference (b), active duty military, DoD civilian employees, military reservists meeting criteria outlined below, active duty or reserve military retirees, military family members, and other authorized personnel who live, work, or frequently use the facilities available at MCAS Yuma, shall register their POVs.

3002. REQUIREMENTS FOR VEHICLE REGISTRATION.

1. All POVs are required to meet the requirements outlined in this order.

2. Smog Inspection. Per the Federal Clean Air Act, all vehicles operated aboard federal installations are required to comply with state smog inspection requirements for the state of legal residence to which the vehicle is lawfully registered. Individual vehicle owners are responsible to ensure their vehicle meets this requirement.

a. Vehicles Exempt from Smog Inspections

(1) Vehicles manufactured during or before the 1973 model year.

(2) Diesel powered vehicles.

(3) Motorcycles.

(4) Any smog inspection exemptions authorized by the state of legal residence where the vehicle is lawfully registered.

3. Vehicle Safety Requirements. All vehicles being registered aboard the Station must meet the safety and mechanical vehicle inspection requirements of the State of Arizona; or if the state

of legal residence where the vehicle is currently registered requires safety and mechanical inspections above and beyond those required by the State of Arizona for where there is no out-of-state military exemption, to maintain those state safety and mechanical requirements necessary for valid registration.

4. Station Registration Requirements. Military personnel reporting aboard shall register their vehicle(s) within five working days of their report date. The below listed items are required and must be presented to Military Police personnel at the time of registration:

a. A valid state drivers license;

b. An active duty military, dependent, or retired (active or reserve) military identification card, or an appropriate MCAS Yuma civilian employee identification card;

c. Proof of vehicle ownership, such as a current certificate of state registration as required by the state in which the vehicle is registered. Persons need not own the vehicle to register it, but must have a lease agreement, power of attorney, or notarization statement from the owner of the vehicle specifying the inclusive dates for which permission to use the vehicle is granted. Permanent decals will not be issued to persons with power of attorney or notarized letters;

(1) Individual(s) with vehicles under power of attorney or notarization must present an insurance policy showing coverage of the individual using the vehicle.

(2) An individual in possession of an armed forces identification card or civilian employee identification card may use a vehicle of another military affiliated member providing that the use of the vehicle is only for incidental use and the owner's vehicle meets the registration requirements above.

(a) The vehicle must have insurance which covers incidental driver use.

(b) The incidental use of another military member's vehicle may not exceed twenty-four hours.

(3) Company or commercial vehicles not used for official business aboard the Air Station will not be authorized to have Station registration.

d. Proof of insurance, a minimum coverage of \$15,000 liability, \$30,000 personal injury, and \$10,000 property damage; or if the state of legal residence where the vehicle is lawfully registered requires a higher minimum for liability, personal injury and/or property damage, to carry that state's minimum amount of insurance coverage necessary for valid registration.

e. For motorcycles, proof of completion of a Motorcycle Safety Foundation (MSF) or Specialty Vehicle Institute of America (SVIA) safety and skill course and proof of motorcycle inspection by the Station Department of Safety and Standardization (DSS) is required for permanent registration.

(1) For temporary registration, individuals must show proof that they are scheduled to attend the Station motorcycle safety course.

(2) Temporary registration will only be approved until the Monday following the motorcycle safety course completion date.

f. Proof of completion of a driver improvement course if under the age of 26.

5. Reservists. This Order is applicable to all reservists, to include those reservists who are affiliated with a unit or organization that may not be co-located within the installation where the vehicle is being registered. This would include mobilized reservists, SMCR/IMA Marines in a satisfactory reserve status and IRR Marines that are on ADSW/RCT or other type orders.

a. In order to register vehicles aboard MCAS Yuma, a command-authorized letter must be presented along with all other requirements delineated in paragraph (4) above: Station Registration Requirements.

b. For SMCR/IMA Marines, the letter must state they are in a satisfactory reserve status and list the reserve and/or current contact date for enlisted Marines or the end of tour date for Officers.

c. For IRR Marines, a letter from their joining command must list the beginning and end dates of the orders. The term of the registration would be for the length of the orders or contract and may not exceed 36 months. In order to renew the registration, a new letter must be presented.

3003. DoD REGISTRATION DECALS

1. A vehicle registration decal (DD Form 2220) and expiration tabs will be issued to applicants who meet the criteria set forth in paragraph 2001.

2. Registration decals will be affixed to the lower left corner of the windshield as to avoid windshield wiper contact. The decal will be placed in such a manner as to not conceal the vehicle identification number.

3. DoD decals will be issued to military and civilian personnel authorized to work and/or live aboard the Air Station. Civilian personnel are only authorized to maintain two vehicles with decals; one primary and one secondary vehicle.

a. Military and civilian personnel who are temporarily assigned or visiting MCAS Yuma will be issued temporary registration or a visitor's pass.

b. Military retirees, who are seasonal residents, and possess proof of a permanent local address will be issued DoD decals. In general, seasonal residents are understood to live in the local area six months or less per year.

c. Military retirees, who are seasonal residents, with vehicles registered in the State of Arizona will be issued DoD decals.

d. DoD decals can be issued on a case by case basis for all other instances not specifically covered above, all deemed appropriate by the Provost Marshal or his or her designated representative.

4. Registration decals will be maintained by the registrant in such condition as to be clearly legible at all times. When a decal becomes damaged to the extent that it is not clearly

legible, the registrant will immediately make application for a new decal.

5. Registration decals are issued for use on a specific vehicle and may not be interchanged with other vehicles.

6. Registration decals can be issued for a maximum period of three years or to the date of expiration on the issued military identification card, whichever is earlier. If entering MCAS Yuma with a current, valid issued DoD decal from another installation, persons need to possess any documentation required to be carried by the installation issuing the DoD decal.

7. Permanent decals will not be issued to any person with six months or less active duty remaining. Temporary registration will be issued for a period of six months or less.

3004. REMOVAL OF REGISTRATION DECALS. The registration decal remains the property of the U.S. Government and shall only be removed by members of PMO in the official performance of their duties, except as outlined in paragraph (3) below.

1. Should the registered owner be transferred from the station, the individual will report to the Vehicle Registration Office for cancellation of registration.

2. If transferred to the reserve or retired list, decals may be retained unless there is a change in grade, i.e. enlisted to officer, officer to enlisted.

3. In the event an owner sells or trades a vehicle, or is involved in an accident that renders the vehicle useless, the individual will scrape and return the decal to the Vehicle Registration Office. Vehicles will not be sold or have ownership transferred with the registration decal on the vehicle.

4. Failure to maintain current state vehicle registration, insurance coverage, or valid driver's license by the registered owner or bona-fide department will result in the removal of the DoD decal and a temporary suspension of driving privileges until compliance is met.

3006. TEMPORARY REGISTRATION. Temporary vehicle registration will be issued for all vehicles entering the station for a

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temporary period of time. Temporary registration will be issued for the periods indicated below:

1. Military personnel in a temporary additional duty status for the period of their stay aboard the station.
2. Military and civilian personnel being detached from the station who have already surrendered their DOD decal. This temporary registration will not exceed 90 days. If the service member is within 6 months/180 days of EAS, no decal will be issued.
3. Assigned personnel who are awaiting permanent state registration, not to exceed 90 days.
4. Contractors, contractor employees, and aircraft technical representatives, not to exceed 90 days or length of contract whichever is less.
5. Military and civilian personnel scheduled to attend the Motorcycle Safety Course/Drivers Improvement Course may be issued a temporary registration valid until the Monday after the completion date of their scheduled class, as verified by DSS.
6. Winter visitors, who are military retirees, which do not have permanent residence in the Yuma area.
7. Special cases, not specifically covered above, as deemed appropriate by the Provost Marshal or his or her designated representative.
8. Temporary registration will indicate any restrictions that are applicable.

3007. VISITOR PASSES

1. Visitor passes will be issued to authorized visitors or guests for 24-hour periods aboard the station. Non-military visitors require sponsorship.

a. Visitors passes will be issued to active duty members only when the active duty member:

(1) Is in the process of reporting or checking into a unit aboard MCAS Yuma.

(2) Has purchased a vehicle and is bringing the vehicle aboard after normal working hours when the Vehicle Registration Office is closed.

(3) Is visiting a military member or civilian employee and is operating a vehicle that does not have a current and authorized DOD decal adhered to the vehicle.

(4) Is utilizing a rental vehicle or loaned vehicle providing the driver meets the standards of Paragraph 3001.

2. Visitor passes will not be issued to commercial carriers or commercial representatives of firms doing regular business aboard the Station. However, these vehicles will be checked for verification of destination, delivery manifests, work orders, and contents.

3. Visitor passes are to be used only by the vehicle for which the pass was issued.

4. Proof of vehicular ownership, insurance, and valid drivers license must be shown prior to the issuance of a visitor pass.

a. The driver of the vehicle must be the registered owner of the vehicle or have notarized written permission to use the vehicle. Drivers with vehicles registered to their immediate family (parents or siblings) may receive a visitor pass.

b. The vehicle insurance must provide for coverage of another driver other than the owner.

5. All civilian visitors, not normally authorized access aboard the Air Station, require sponsorship by authorized station personnel. Civilian visitors authorized in writing as guests attending special events, do not require individual sponsorship upon entry.

TRAFFIC ENFORCEMENT REGULATIONS

CHAPTER 4

TRAFFIC CODE AND RELATED MATTERS

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TRAFFIC ENFORCEMENT REGULATIONS

CHAPTER 4

TRAFFIC CODE AND RELATED MATTERS

4000. GENERAL

1. The following provisions apply to all individuals aboard MCAS Yuma property to include the Barry Goldwater Range and the Chocolate Mountain Bombing Range, and service members off station. Per reference (b), only administrative actions will be initiated against service members for off station violations.

2. Violations by service members may result in the following:

a. Prosecution under the (UCMJ) and/or adverse administrative action.

b. Points or loss of driving privileges aboard MCAS Yuma and other DoD installations. Loss of driving privileges is a separate matter from discipline and adverse administrative action. Loss of driving privileges may be administrated either before, during, or after any disciplinary or adverse administrative action.

3. Violations by non-service members aboard MCAS Yuma will be adjudicated by the Traffic Court Judge during traffic court, and may result in a loss of driving privileges aboard the Station. MCAS Yuma may also deny entry by letter of debarment based on violations of this Order.

4001. TRAFFIC CODE VIOLATIONS

1. The following provisions are prohibited by the owner or person in legal control (power of attorney, borrowed, rented) of a vehicle:

a. Failure to correct defective equipment.

b. Storing a weapon in a vehicle or allowing another to store a weapon in a vehicle.

c. Knowingly permitting a physically impaired person to operate a vehicle owned or in legal control.

- d. Fraudulent application for use of or alteration of:
 - (1) Drivers license;
 - (2) State registration;
 - (3) Title of ownership;
 - (4) DoD vehicle decal;
 - (5) Temporary vehicle pass;
 - (6) Visitor pass;
 - (7) Contractor Personal Information Form (PIF)
 - e. Making a false statement to responsible officials relating to ownership or operation of a vehicle.
 - f. Allowing an unlicensed person to drive their vehicle.
 - g. Unauthorized transfer or attempt to transfer of a DoD vehicle decal from one vehicle to another.
 - h. Allowing another person to possess or use one's drivers license.
 - i. A listing of all traffic violations may be found in enclosure (2).
2. The following provisions are also prohibited by passengers while in a vehicle:
- a. Opening vehicle doors into the flow of traffic.
 - b. Littering or throwing a burning object from a vehicle.
 - c. Possessing or allowing another to possess open containers(s) of alcoholic beverage(s).
3. Safety inspections of vehicles are the responsibility of the vehicle owner/operator. Driving an unsafe vehicle is prohibited.
- a. PMO may conduct periodic vehicle safety inspections of motor vehicles.

b. Enclosure (3) contains vehicle safety requirements and prohibited modifications/alterations.

4002. MOTORCYCLE AND SIMILAR SELF-PROPELLED CYCLES

1. Motorcycles. Operators of government and privately owned motorcycles shall comply with the following:

a. Owners and operators of motorcycles are required to complete a Motorcycle Safety Foundation (MSF) or Specialty Vehicle Institution of America (SIVA) approved course whether the motorcycle is operated on or off station.

b. The safety course includes the following:

(1) The MSF or SIVA approved curriculum taught by MSF or SIVA certified instructors.

(2) Hands on training.

(3) A performance based and knowledge based evaluation.

(4) Detailed vehicle and personal protective equipment (PPE) inspection.

c. A statement or certificate attesting to the date and location of course completion will be entered into the unit diary of each individual who successfully completes the course. Service Record Book and Officer Qualification Record will also be annotated.

d. Motorcycle training required by this order shall be provided during normal working hours at no cost to personnel (including annual leave).

e. Class Registration

(1) The Department of Safety and Standardization (DOSS) will publish class schedules and is responsible for conducting beginner and experienced rider Motorcycle Safety Courses.

(2) Applicants must first report to the Provost Marshal's Vehicle Registration section with valid state motorcycle license or learners permit, proof of insurance, and valid registration.

(3) Applicants will then be given a one-day pass to report to DSS so they can conduct a motorcycle safety inspection and assign the applicant to the next available motorcycle safety class.

(4) Applicants with motorcycles that fail the DSS safety inspection will not be issued temporary registration.

(5) The applicant must then report back to the Provost Marshal's Vehicle Registration section to receive temporary registration. The temporary registration will be valid until the Monday following the course completion date.

2. Persons riding motorcycles are subject to the same punitive provisions and have the same responsibilities as drivers of motor vehicles except for those provisions, which by their very nature can have no application to motorcycles.

3. The provisions in enclosure (2), specifically for motorcycles, are prohibited by drivers and passengers while on a motorcycle.

4. Operators of government and privately owned motorcycles (both street and off-road versions) must be appropriately licensed in order to ride aboard MCAS Yuma. Required personal protective equipment (PPE) and prohibited equipment are listed in enclosure (4).

4003. MOPEDS, MOTORIZED BICYCLES, AND BICYCLES

1. Mopeds, motorized bicycles and bicycles (hereafter known as cycles) do not require state registration and are not required to be registered with the PMO Vehicle Registration Office.

a. Persons operating any motorized cycle on Air Station roads must possess a valid drivers license. Unlicensed personnel are not authorized to operate motorized cycles aboard Air Station roadways at any time.

b. Persons operating any motorized cycle must adhere to all safety requirements directed for bicycle use aboard the Air Station.

c. Motorized cycles and bicycles with a seat equal to or less than thirty inches from the ground, are prohibited for use

on Air Station roadways. These devices are commonly referred to as pocket bikes or mini-bikes, and present a visibility hazard to other drivers.

2. Traffic Laws. Persons riding non-licensed cycles have the same responsibilities as drivers of motor vehicles except for those provisions, which by their very nature can have no application.

a. Cycle riders will utilize the right edge of the road in single file when operating on any roadway of MCAS, Yuma.

b. No person shall operate a cycle on the Station with more passengers than the cycle is designed to carry.

c. Cycle riders shall yield to pedestrians and joggers on sidewalks.

d. No person shall operate a cycle with passengers or material in front of the operator which interferes with the operation, or obstructs the view, of the cycle operator or causes the reflective upper garment to be covered or concealed.

3. Equipment. The following PPE pertains to mopeds, motorized bicycles and bicycles and does not pertain to motorcycles. Enclosure (4) lists PPE requirements for motorcycles.

a. All cycle riders will wear a properly fastened (under the chin) protective safety helmet.

b. All cycle riders will wear light colored clothing during the day and a retro-reflective upper garment during periods of reduced visibility and at night.

c. The use of gloves, elbow pads is recommended.

4. Operation. Non-licensed cycles shall not be operated in areas where their use is visibly posted as prohibited, such as shopping, work or construction areas.

a. When operated during hours of darkness, non-registered cycles must be equipped with a rear red reflector and a headlight of sufficient power to be visible under normal weather conditions from a distance of 100 feet.

b. Owners or operators are liable for any damages caused as a result of operator negligence. Sponsors are responsible for family members using motorized bicycles, motorized skateboards, or bicycles when operated aboard Marine Corps Air Station property.

4004. DRIVING WHILE IMPAIRED OR UNDER THE INFLUENCE

1. Prohibited Activity. It is prohibited for drivers to be operating or in actual physical control of a vehicle, motorcycle or non-licensed cycle in the following conditions:

a. While under the influence of intoxicating liquor, any drug, a vapor released substance containing a toxic substance or any combination of liquor, drugs or vapor releasing substances if the person is impaired to the slightest degree.

b. When the person has a BAC of .08% or more while driving or being in actual physical control of a vehicle, the person is considered to be DUI.

c. When the person has a BAC of .05% or more but less than .08% concentration, while driving or being in actual physical control of a vehicle, the person is considered to be DWI. A BAC of .05% - .079% will not give rise to a presumption that a person is or is not under the influence of alcohol. The fact may, however, be considered with other competent evidence in determining whether a person is drunk or impaired by alcohol.

d. A person under the age of 21 years operating or in actual physical control of a motor vehicle while there is any spirituous liquor in the person's body is considered DUI.

2. Implied Consent to Blood Alcohol Content Testing. Persons granted privileges to drive aboard MCAS property to include the Barry Goldwater and the Chocolate Mountain Bombing Ranges are deemed to have given their consent to evidential testing for alcohol or drug content of their blood, breath, and/or urine if lawfully stopped, apprehended or cited for any offense allegedly committed while driving or in actual physical control of a motor vehicle on MCAS Yuma property while under the influence of intoxicants. Per reference (b), persons are required to submit to a chemical test that will determine BAC levels.

3. Additional Tests. Suspects shall be given a reasonable opportunity to arrange for any physician, registered nurse or other qualified person of the suspects own choosing to administer a test, or tests in addition to any administered at the direction of the Military Police.

a. Any additional testing will be at the suspect's own expense.

b. Any additional testing will be at no expense to the U.S. Government.

4. Refusal to submit to testing. Refusal to submit to the test or failure to complete the test will result in severe administrative action. In addition to revocation of driving privileges, refusal to submit to testing may cause adverse administrative action for service members and civilian employees. Non-service members may be issued a letter of debarment.

5. Procedures for Chemical Testing

a. Chemical tests for alcohol content shall be administered by an MP incidental to a lawful apprehension, stop, or citation of any offense allegedly committed while driving or in actual physical control of a motor vehicle when there is reasonable suspicion that the operator is under the influence of alcohol.

(1) When determined that such a test is necessary, suspects shall be advised that they must submit to a breath test to determine BAC.

(2) If drug usage is suspected, the MP may in accordance with reference (b), require the suspect to submit to a blood or urine test.

b. Suspects who are unconscious, or otherwise in a condition rendering them incapable of refusal are deemed not to have withdrawn consent, and a blood sample will be drawn for testing.

c. There is no right to have an attorney present before electing whether or not you will submit to the test or during the administration of the test.

d. Once the test has begun, it must be completed. A change of mind and request for a different test is tantamount to a refusal to submit.

e. Once advised to the implied consent law, suspects must immediately consent or refuse to take the test. Persons, who willfully refuse to submit, fail to complete such a test once begun, or who cause an unreasonable delay in the administration of the test, will be processed for refusal to submit to a chemical test.

4005. PARKING

1. Prohibited Parking. It is prohibited to park any vehicle or motorcycle as follows:

a. On sidewalks, lawns, seeded areas, landscaped areas or unpaved areas that are not designated as parking areas, road shoulders, or any other area designated as a no parking area.

b. Within 20 feet of the inside of a boundary or security fence (except for the parking areas adjacent to the Flight-line hangers and buildings) and within 30 feet of the outside of a boundary or security fence.

c. Within five feet of any dumpster (trash receptacle).

d. Within 15 feet of any fire hydrant or stop sign.

e. So as to obstruct the normal flow of vehicular or pedestrian traffic, or driver's vision.

f. Within the Flight-line Restricted Area without specific permission of Air Operations (for security reasons, vehicles are subject to immediate towing.)

g. Within designated fire lanes, fire zones or bicycle lanes.

h. Within five feet of any building unless specifically posted as an authorized parking area.

i. In zones marked handicap, except when properly displaying a handicapped license plate, decal, placard or other valid handicap authorization.

j. Parked in a marked (yellow) loading zone, except for immediate, authorized loading and unloading.

k. Parked in a marked no parking (red) zone.

2. Curb Parking. Vehicles may parallel park on roadways only where such parking is authorized. At no time shall a vehicle be parked in such a manner that causes it to block or impede traffic flow on a roadway. Vehicles parked or stopped on a roadway where parallel parking is authorized shall park facing the direction of the flow of traffic, with the right wheels within 18 inches of the right hand curb.

3. Emergency Vehicle Parking. Emergency vehicles are authorized to park in reserved or restricted parking areas while performing official duties.

4. Recreational Vehicles. Recreational vehicles (RV) will not be parked in building, barracks, or housing parking areas for longer than 48 hours. The Marine Corps Community Services RV lot is the only authorized storage/long term parking area on MCAS Yuma.

5. Use of parking lots for overnight camping is not authorized aboard MCAS Yuma.

6. Reserved Parking

a. The allocation and administration of reserved parking spaces aboard MCAS Yuma is the responsibility of the Station Installation and Logistics (I&L) Department.

b. The marking of reserved parking spaces is the responsibility of the Director of I&L. Individual units and sections are not authorized to mark reserved parking spaces.

c. Reserved parking spaces aboard MCAS Yuma which have not been approved per this order will be removed.

d. Existing on and off street parking facilities will be utilized on a non-reserved, first-come, first-serve basis.

e. All commands aboard the Air Station will be assigned the following reserved parking positions:

- (1) Commanding Officer.
- (2) Executive Officer.
- (3) Sergeant Major.
- (4) Two (2) GOV parking spots.
- (5) Two "Official Visitor" parking spots.
- (6) All Station Department Heads/Directors will rate one reserved parking spot.

f. Upon determination of the requirement or reserved parking spaces, the unit will submit a request for the spaces to the CO (Attn: I&L) via the unit's chain of command. Items required to be included with this request are:

- (1) A letter with justification and description of the reserved spaces being requested including any exceptions to the policy described in this order with appropriate endorsements. Endorsements showing concurrence/non-concurrence of any neighboring units/activities who may be affected by the request should be included and will expedite the approval process.

- (2) A completed work request with a map showing the exact location(s), other spaces already reserved in the lot/area and the inscriptions required.

- (3) After receipt of a work request, the spaces(s) will be inspected by personnel from I&L and PMO for the purpose of ensuring equitable distribution of the spaces among the various commands and departments using the same parking area. If approved, the original request will be forwarded to the Base Services Division for action. If the request is not approved, it will be returned to the originator through the appropriate chain of command with the reason for disapproval.

- (4) When reserve or assigned parking requirements are objectively justified, the following guidelines regarding priority should apply:

- (a) Government vehicles in direct support of station, unit or departmental missions.

(b) Government vehicles in general support missions, i.e., couriers, postal, cargo delivery.

(c) POVs of handicapped personnel.

g. Extended Parking while Deployed. Personnel who are deployed or in execution of temporary additional duty orders for more than forty-five days will not leave a POV parked in any parking area aboard MCAS Yuma.

(1) The Provost Marshal will provide and manage a secure storage lot for vehicles belonging to personnel in a deployed status. All questions regarding storage of POVs for deployed personnel should be directed to the Military Police Desk Sergeant.

(2) The owner of a vehicle placed in storage is required to maintain current state registration and insurance during the entire period of storage.

(3) The owner may leave a POV with a caretaker provided that the owner has given the caretaker power of attorney or notarized responsibility and insurance coverage for the caretaker to drive the vehicle.

(4) Any POV parked in a parking area aboard MCAS Yuma for a period of more than forty-five days is subject to immediate impound.

4006. RESTRAINT SYSTEMS

1. Restraint systems (vehicle seatbelts) are required in all vehicles manufactured after model year 1966 and will be worn by drivers and passengers in moving vehicles. Drivers and passengers of both POVs and GOV are subject to this punitive provision.

2. When a vehicle is moving, children four years of age or younger and/or children weighing 45 pounds or less will be restrained in a restraint device (car seat). The restraint device itself will be securely attached to the vehicle seat regardless of the year of the vehicle.

3. All restraining devices must meet federal motor vehicle safety standards.

4007. TRAFFIC RELATED MATTERS

1. Roller-Skating/In-Line Skating/Skate-Boarding. The use of roller skates, in-line skates, motorized skateboards, and skateboards (hereafter known as skates) are prohibited in all areas except military family housing and barracks parking lots.

a. Safety helmets will be used for skating or skateboarding. Protective equipment such as elbow pads, knee pads, and wrist guards are strongly recommended. Skaters shall wear colored clothing during the day and retro-reflective clothing at night.

b. Skaters shall yield to all other pedestrian and vehicular traffic, and use sidewalks whenever possible. Skating is only permitted in barracks parking lots with a low traffic density. Skaters will not interfere with vehicular traffic flow in any parking lots.

2. Hitchhiking. Hitchhiking or soliciting rides on any portion of a roadway used for vehicular traffic is prohibited.

3. Runners. Individual runners will run on the shoulder of the roadway facing traffic. After evening colors and before morning colors, individual runners will wear a reflective belt or vest.

4. Walking Near Roads. Pedestrians shall, at all times, walk on sidewalks or road shoulders as applicable. When walking on shoulders, pedestrians shall walk facing traffic.

5. Pedestrian Crossing. Whenever possible, pedestrians shall cross roads only in a marked pedestrian crossing or at intersections. When crossing a roadway at other than pedestrian crossings or intersections, pedestrians shall yield the right of way to vehicles. No pedestrian shall enter a pedestrian crossing in such a manner as to cause vehicles to brake sharply or to cause an accident.

6. Loitering in Street. No person shall loiter in, or cross a street or roadway in such a manner as to unnecessarily impede the flow of vehicular traffic. No person, child or adult, shall play in streets or roadways.

7. Cellular Phones, Headphones and Earphones

a. Cellular Phones. Operators of POVs on MCAS Yuma shall not use cellular phones while the vehicle is in operation, unless they are using a hands-free device. A hands-free device is a feature that is included or available with most of today's cellular telephones that permits a driver to use the telephone without lifting or holding the headset to the driver's ear. A hands-free device is not a headset worn using a cellular phone.

b. GOV. Operators of GOVs either on or off the Station shall not use a cellular phone while the vehicle is in operation, even with a hands-free device.

c. Headphones and Earphones. Headphones of any type are prohibited from use while operating a motor vehicle, walking, jogging, bicycling or skating on roadways or in parking areas aboard MCAS Yuma.

8. Speed Limits. The maximum speed limit aboard MCAS Yuma is 25 MPH. The specific speed limits for vehicular traffic aboard this Station are as follows:

a. 15 MPH Zones. The following areas are heavily congested areas having blind approaches:

- (1) Commissary.
- (2) Exchange Complex.
- (3) All parking lots.
- (4) All Military Family Housing areas.
- (5) Martini Ave.

b. 25 MPH Zones. Main thoroughfares in built-up areas and un-surfaced/unpaved roadways.

9. Troop Formations

a. Troop formations have the right of way over all vehicular traffic. Troop formations will keep to the extreme right side of the roadway and travel in the direction of traffic, not impede the flow of traffic, and shall not run off station or

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in traffic lanes at any station access gate. Whenever possible, troop formations will stay off streets and roadways. Sufficient road guards will be assigned to stop traffic at intersections and other critical points. All road guards will wear high visibility vests and during the hours of darkness carry an operable flashlight.

b. The maximum speed limit when passing troop formations is ten miles per hour.

10. Use of Headlights. Headlights will be used in the following manner:

a. All motor vehicles will utilize factory installed headlights during hours of darkness. After market headlights or alterations are considered decorative in nature and are prohibited for use as headlights.

b. Aboard MCAS Yuma, vehicles will be operated with headlights turned on during periods of precipitation and other reduced visibility conditions, whether or not it is required by state or federal law. Examples are, but not limited to, during periods of light or heavy rain or during periods of obscuration due to fog, smoke, dust or sandstorms. Parking lights are insufficient for this safety measure.

c. Headlights will be utilized by motorcycles at all times.

d. Fog or driving lights will not be used as a substitute for factory headlights.

11. Profane or Provocative Statements or Displays. Bumper, window or other types of stickers or painted applications used on vehicles will not display or promote any type of profane, provocative or distasteful remarks or conduct that is contrary to the good order and discipline of the Armed Forces.

4008. TRAFFIC ACCIDENTS

1. Accidents Involving Injury or Death. The driver of any vehicle involved in an accident resulting in injury, regardless of the degree or death of any person, is required to fulfill the following responsibilities:

a. Stop the vehicle immediately at the scene of the accident. If the vehicle is involved in a collision with another vehicle, pedestrian or object, the driver will not move the vehicle from its resting point except in the preservation of life, limb, sight or as directed by emergency response (police, fire or ambulance) personnel.

b. Render reasonable assistance to any and all injured parties involved while awaiting the arrival of paramedics and ambulance personnel.

c. Furnish information as to identity of the driver and occupants, vehicle information, vehicle insurance, state registration and station registration.

d. Notify the Military Police.

2. The driver of a vehicle involved in an accident on Station property, resulting in damage to another vehicle or property, will notify the Military Police and await response.

3. In every accident or collision occurring on or off station, involving a government owned or leased vehicle or government property, the driver will notify the Military Police by the quickest means of communications available, with the circumstances, location, number and extent of injuries and other information that will assist the military authorities in reaching the scene.

a. The driver(s) will remain at the scene of an accident until the arrival of military authorities, except as necessary to assist with the injured, as directed by responding civilian authorities or to notify the Military Police.

b. Driver(s), driving government owned or leased vehicles, involved in any accident off station will not move the vehicle(s) from their final resting positions except as directed by civilian authorities or in the interest of safety to persons or property.

4. Obstructions to Traffic. On Station property, the stopping of vehicles that are involved in a minor accident (non-injury and minor damage) shall be made so as to provide that least obstruction possible to the flow of traffic.

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5. Accident Investigations. The Station Provost Marshal shall conduct an appropriate investigation of any accident or collision involving motor vehicles on Station property and when injuries or government property is involved off station (reciprocating with civilian authorities). These investigations shall not relieve any commander of the duty to conduct investigations as required in the manual of the Judge Advocate General or other directives.

TRAFFIC ENFORCEMENT REGULATIONS

CHAPTER 5

IMPOUNDING PRIVATELY OWNED VEHICLES

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TRAFFIC ENFORCEMENT REGULATIONS

CHAPTER 5

IMPOUNDING PRIVATELY OWNED VEHICLES

5000. GENERAL. This chapter provides the standards and procedures for the towing and impoundment of POVs.

5001. IMPLIED CONSENT TO IMPOUNDING. All persons entering MCAS Yuma are deemed to have given their consent for the removal and temporary impoundment of their POV when it is illegally parked, interfering with operations, creating a safety hazard, disabled by accident, left unattended in a restricted or controlled area, left derelict, or abandoned. Such persons further agree to reimburse the United States or appropriate civilian contracted towing agency for the cost of towing and storage should their POVs be removed or impounded. The Provost Marshal will determine existence of the conditions described above.

5002. VEHICLE TOW AND IMPOUND. POVs are considered abandoned when the owner voluntarily relinquishes possession of the vehicle with the intent of terminating ownership, or when ownership of a vehicle cannot be determined by a computer registration check and it has been unattended without authorization anywhere on the Station for more than 72 hours.

1. Derelict Vehicles. Vehicles are considered derelict when they are in a state of disrepair and non-running order. This definition also applies to vehicles that require extensive repair to make the vehicle safe for driving on a roadway.

2. Towing. The towing of POVs aboard MCAS Yuma will be accomplished by government wrecker, or civilian contracted towing companies depending on the reason the vehicle is being towed.

3. Emergency/Immediate Towing

a. POVs will be towed immediately (by civilian wrecker service and at the cost of the vehicle's owner) when:

- (1) Parked in a fire lane or safety zone;

(2) Parked in posted areas that pose a security risk to the station;

(3) Obstructing traffic;

(4) Interfering with emergency vehicle traffic or equipment;

(5) Parked in pre-posted temporary no parking areas, e.g., road construction;

(6) The operator is injured or too ill to continue to operate the motor vehicle and no one else is available to move the vehicle;

(7) The vehicle poses a safety or environmental hazard;

(8) The vehicle was involved in a traffic accident and is unable to be driven safely away from the accident.

(9) Vehicles are determined to have a suspended state motor vehicle registration due to lack of mandatory insurance.

(10) Vehicles subject to a second tow tag due to owner's failure to take corrective action or contact PMO.

b. POVs will be towed immediately by U.S. Government wrecker to the PMO evidence lot when:

(1) They are determined by a registration check to be stolen;

(2) There is a probable cause to believe that such vehicles or contents within the vehicles may have been instruments of crimes; or

(3) They are involved in a serious motor vehicle accident and classified as criminal evidence.

c. POVs owned or operated by a driver whose driving privileges have been suspended or revoked aboard the Station will be towed by civilian contracted towing company at the POV owner's expense.

4. Three-Day Towing

a. POVs in the below listed categories will be tagged by MP and will be subjected to towing three days thereafter:

- (1) Illegally parked.
- (2) Expired base registration.
- (3) Expired state motor vehicle registration; 6 months or less.
- (4) Recreational vehicle parked overnight unless they are the primary means of transportation. (NOTE: MCCS operates a short term and long term storage lot for RVs and trailers)
- (5) Vehicles violating the Station Housing Tenant Rental Agreement as it pertains to the parking of vehicles, recreational vehicles and recreational equipment.

b. POVs tagged by MPs are subject to towing three days thereafter by government wrecker to the PMO Impound lot when they are determined to be abandoned vehicles.

5003. PROCEDURES FOR IMPOUNDMENT

1. Except for those circumstances described in paragraph 5002 above, MPs will conspicuously tag unattended POVs with DD Form 2504 (Abandoned Vehicle Notice) and document this action.
2. The owner will be allowed three days from the date the POV is tagged to remove the vehicle before impoundment action is initiated. If the vehicle has not been removed after three days, it will be impounded.
3. A DD Form 2506 (Vehicle Impound Report) will be completed by MP personnel as a record of the action taken on any impounded vehicle.
4. Personal property found inside the vehicle will be inventoried.
5. The impounded vehicle will be placed in secure storage pending disposition.

6. Once a vehicle is impounded and towed to the PMO impound lot, PMO will conduct a diligent effort to ascertain the owner(s), their heirs, next of kin or legal representative.

7. A DD Form 2507 (Notice of Vehicular Impoundment) will be forwarded by certified mail to the address of the last known owner of the vehicle. The form will advise the owner of the impoundment action, the time, date, and place of intended disposal action, and request information concerning the owner's intentions pertaining to the disposition of the vehicle.

8. An abandoned vehicle will be held for 120 days from the day the DD Form 2507 is mailed.

9. Once the minimum period of 120 days has elapsed, MP will refer the abandoned vehicle to MCCS for disposition per reference (1).

5004. DISPOSITION OF VEHICLES AFTER IMPOUNDMENT

1. If the owner cannot be found, the vehicle is unclaimed after 120 days from the date the notification was mailed to the last known legal owner, or the owner released the vehicle by properly completing DD Form 2505, the vehicle will be disposed of.

2. Abandoned POVs will be processed for disposal by Marine Corps Community Service (MCCS).

a. MCCS will pursue title transfer in accordance with reference (n).

b. MCCS may dispose of the vehicle through salvage, public auction or sale, or use within MCCS.

5005. APPEALS PROCEDURE

1. Should a registered owner of a vehicle content that their vehicle was towed, impounded, or improperly stored, they may submit a written appeal within ten working days of receipt of the notification of status of their vehicle. The below listed procedures will be followed:

a. The registered owner will submit a written appeal to the Joint Law Center (JLC), detailing the circumstances of the appeal and attach any supporting evidence.

b. If required, the JLC may request the Provost Marshal to conduct an inquiry.

c. The Provost Marshal will conduct an informal inquiry into the circumstances of the towing, impounding, or storing and make a recommendation within ten working days, upon receipt of the appeal to the JLC, on whether the procedures for the towing, impounding, or storing were conducted in accordance with this order.

d. Upon receipt of the Provost Marshal recommendations, the JLC will make a finding and convey the finding to the registered owner and provide information concerning the filing of a claim against the government, if appropriate.

5006. RECOVERY OF TOWED/IMPOUNDED VEHICLES

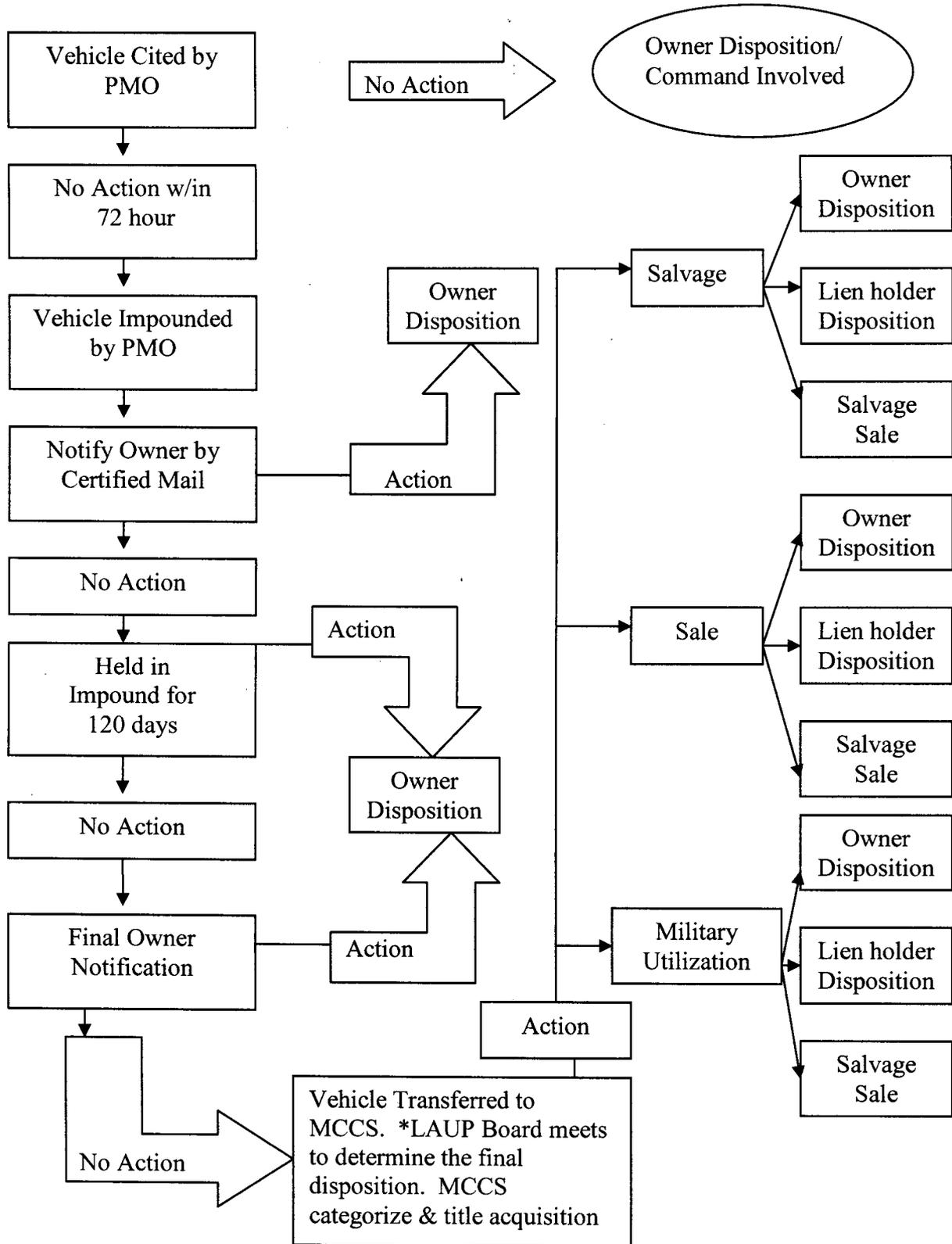
1. The owner, heir, next of kin, or legal representative may claim impounded POVs at anyone other than the owner, the transmittal letter shall contain the following statement:

"The action of this Station in transmitting the property does not vest title in the recipient. Such property is forwarded to you to be retained or disposed of as custodian, per the laws of the state of the owner's residence".

2. The owner, heir, next of kin, or legal representative may claim towed POVs by contacting the civilian wrecker service that towed the vehicle. The owner, heir, next of kin, or legal representative will be responsible for any cost of towing and storage.

ABANDONED VEHICLE FLOW CHART

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*Lost, Abandoned, or Unclaimed Privately-owned, Personal Property Board

TRAFFIC ENFORCEMENT REGULATIONS

CHAPTER 6

OPERATION AND USE OF GOVERNMENT VEHICLES

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TRAFFIC ENFORCEMENT REGULATIONS

CHAPTER 6

OPERATION AND USE OF GOVERNMENT VEHICLES

6000. GENERAL. The operation and use of U.S. Government owned vehicles will be in accordance with the provisions of this order and other appropriate orders and instructions.

6001. OPERATORS

1. No person shall operate a tactical GOV without a valid OF 346, U.S. Government Motor Vehicle Operators Identification Card in possession, unless they are student driver accompanied by a licensed instructor.
2. No person shall operate a commercial GOV without a valid OF 346, U.S. Government Motor Vehicle Operators Identification Card or State drivers license issued for the classification of the vehicle driven.
3. The operator of the GOV is responsible for the safe operation of the vehicle and for the safety of all passengers and cargo.
4. The operator of the GOV will not consume alcohol during the period eight hours prior to driving, or possess alcohol while operating a GOV.
5. An operator will not drive any vehicle when impaired by fatigue, illness, alcohol, drugs or when otherwise physically unfit.
6. All vehicles operated by unlicensed personnel for training or for use in the motor vehicle operator's tests will be equipped with a sign on the front and rear of the vehicle with lettering at least five inches in height reading "STUDENT DRIVER".
7. Probationary or restricted driving privileges will not be granted to any person whose license is under suspension or revocation by and issuing state authority.

6002. USE AND OPERATION

1. Ambulances, tanker trucks, wreckers, dump trucks, fire trucks, and other special purpose vehicles shall be used exclusively for the purpose intended.
2. A GOV shall not be used for personal convenience outside the scope of the duties assigned to the driver.
3. A GOV will not be left unattended with the engine running at any time.
4. The operation of a commercial GOV will be limited to developed roads, except when otherwise expressly authorized.
5. When parking on a grade, the operator will place the vehicle in a low gear or if equipped with an automatic transmission, put the vehicle in the "park" position and set the parking brake. If parking downgrade, turn the wheels sharply toward the curb or side of the road; if parking upgrade, turn the front wheels towards the center of the road.
6. The driver will utilize seat belts at all times while operating a GOV. The driver is also responsible for ensuring that all passengers utilize available seatbelts or troop straps. Drivers will not move a GOV until all passengers have engaged their seatbelts or troop straps have been put in place.

7. Towing and Pushing

a. No unauthorized GOV will be used to push or tow another vehicle. Commercial GOVs will only be towed by commercial U.S. Government wrecker. Tactical vehicles will only be towed by tactical wreckers or authorized tow-bar.

b. Two-wheeled tactical type trailers will be towed only with a vehicle of the same or higher rated capacity, and only one trailer at a time will be towed.

8. Backing of Vehicles

a. Drivers shall not back up a vehicle until the driver has ensured, by personal observation, that the movement can be made safely.

b. Drivers in congested areas or in close quarters will not back up a vehicle without a ground guide. If there is no rider or helper in the vehicle, the driver will stop the vehicle and seek assistance of another military member or bystander.

c. Military personnel will assist any driver who requests assistance in backing a GOV by performing the function of a ground guide in order that the driver may safely back a vehicle.

6003. PASSENGERS

1. GOVs shall be used to transport authorized personnel only.
2. At no time shall a driver of a GOV pick up hitchhikers on or off Station without orders from competent authority.
3. GOVs shall not be loaded in excess of the passenger capability of the vehicle.
4. No person shall extend any part of their body through the roof, out a window or over the side of a vehicle in motion except for when such action is required for safe operation of the vehicle.

6004. SPEED RESTRICTIONS

1. No GOV shall travel over the posted speed limit.
2. GOVs in reverse shall not exceed 5 miles per hour (MPH).
3. The maximum speed for all GOVs on unimproved roads will be 25 MPH unless otherwise posted. Commanders to whom vehicles are assigned will be responsible for the enforcement of this restriction within training areas.
4. The maximum speed of any tactical vehicle operating on or off Station is 45 MPH.

6005. EMERGENCY VEHICLES

1. The driver of an authorized emergency vehicle responding to an emergency will operate the vehicle with due regard for the safety of all persons.

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2. Drivers of emergency vehicles must complete an emergency vehicle operators course prior to operating vehicle in an emergency responder capacity.

3. When responding to an actual emergency, emergency vehicle equipment will be used, as appropriate. Drivers will avoid unnecessary use of emergency lights and siren.

4. Authorized emergency vehicles will be equipped with a siren and at least one lighted lamp displaying a red or a red and blue combination light or lens.

a. Only law enforcement vehicles will display red and blue emergency lights.

b. All other emergency vehicles will display red lights only.

5. The driver of an emergency vehicle, only while responding to an emergency call, and while utilizing full emergency lights and siren may:

a. Proceed cautiously past a red or a stop signal or stop sign, but only after slowing down as necessary for safe operation.

b. Exceed the posted speed limits within reasonable limits only if the driver does not endanger life or property. The maximum speed used by emergency vehicle drivers is the speed that is reasonable and prudent under the conditions and with regard to the actual and potential hazards then existing.

c. Disregard the rules and laws governing the direction of movement or turning in specified directions.

d. Park in any location when required or essential to their mission.

e. Use of emergency lights and siren does not guarantee that other vehicles will yield the right of way. Use of emergency lights and siren does not exempt the driver of an emergency vehicle from operating the vehicle with regard for safety of others.

6. The provisions of this paragraph will in no way exonerate drivers of negligence or reckless disregard for the safety of others.

6006. ACCIDENTS

1. The driver of any GOV involved in any accident or collision on or off Station shall immediately notify the MP and report the incident. Regardless of the nature and extent of property damage, injuries or apparent responsibility, the driver of a GOV will report the accident.

2. The driver will complete the Operators Report of Motor Vehicle Accident (SF91) on any vehicle involved in any type of collision or traffic incident resulting in damage or injuries.

3. The driver shall make no statement from which government liability for the accident might be applied, as the statements made by the driver might constitute an admission of responsibility for the accident. Drivers shall make no statements concerning circumstances of any accident only to MP, civilian police, superiors in the driver's chain of command, and command investigating officers.

6007. TACTICAL VEHICLES

1. Tactical vehicles are restricted from use in the following Station areas:

a. All military family housing areas to include 16th St. Housing.

b. Credit Union and Armed Forces Bank.

c. Marine Corps Exchange Complex.

d. Burger King Complex.

e. Commissary.

f. MCCS Service Station area.

g. All tactical vehicles are prohibited to pass beyond posted "NO TACTICAL VEHICLES BEYOND THIS POINT" signs.

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2. All drivers and passengers in tactical vehicles are required to wear helmets and flack jackets while the vehicle is in motion.

3. Any request for an exemption to this regulation will be submitted to the Station Provost Marshal for consideration or approval.

TRAFFIC ENFORCEMENT REGULATIONS

CHAPTER 7

STATION TRAFFIC COURT PROCEDURES

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TRAFFIC ENFORCEMENT REGULATIONS

CHAPTER 7

STATION TRAFFIC COURT PROCEDURES

7000. GENERAL. Traffic Court functions are under the staff cognizance of the Station Inspection, MCAS Yuma. All military personnel appearing before the Traffic Court will be in the uniform of the day. Civilian personnel will be in appropriate civilian attire. Findings of the Traffic Court are administrative in nature, not punitive; consequently, rules of evidence pursuant to military jurisprudence do not apply. Administrative actions taken by the Traffic Court do not preclude trial by courts martial, Article 15, or other administrative or disciplinary actions available to commanders or civilian supervisors.

7001. APPLICABILITY. All active duty military personnel, military family members, and DoD civilian personnel are subject to the rulings of the Traffic Court.

7002. TRAFFIC COURT JUDGE. The Commanding Officer, MCAS Yuma will appoint Traffic Court Judges in writing.

1. The Traffic Court Judge will preside over all hearing to determine whether or not an alleged violation warrants administrative action.

a. The Traffic Court Judge may consider acts or conduct, wherever they may occur, of any person authorized to operate a motor vehicle, when such acts or conduct reasonably pertains to the safe operation of a motor vehicle.

b. The Traffic Court Judge is not bound by any prior decisions in his inquiry.

c. The Traffic Court Judge is authorized to award permissible administrative action against any person directed to appear in Traffic Court.

2. Persons of a grade higher than the Traffic Court Judge presiding over the Traffic Court on the scheduled hearing date, shall appear before the Station Inspector, Station Executive

Officer, or the Station Commanding Officer depending on the respondent's grade for disposition of their case.

3. Administrative Authority. Authorized administrative actions available to the Traffic Court Judge are limited to:

- a. Dismissal of the charges;
- b. Assessment of points per the current edition of reference (c) and enclosure (2) of this order;
- c. Suspension or revocation of station driving privileges per reference (c) and enclosure (2) of this order;
- d. Suspension of driving privileges with probation;
- e. Referral to CO/civilian supervisor for appropriate disciplinary or administrative action;
- f. Continuance of the hearing until a later date.
- g. Assignment of Remedial Driving Classes.

7003. TRAFFIC COURT CLERK. A Traffic Court Clerk is designated by the Station Provost Marshal to record the actions of the Traffic Court, distribute the adjudication results, and to perform other administrative and clerical functions as required by the Traffic Court Judge.

7004. TRAFFIC COURT APPEARANCE OR PLEA. Persons issued a DD Form 1408 traffic citation will report to the Traffic Court Clerk within three working days after receipt of the traffic citation. Those persons wishing to plead guilty, for non-mandatory appearances, may do so in person to the Traffic Court Clerk. Upon the recording of a guilty plea, the Traffic Court Clerk will assess the appropriate number of points to an individual's station driving record by utilizing the number of points listed in enclosure (2) for each violation a guilty plea was entered. Those persons wishing to consent their citation will appear before the Traffic Court.

7005. FAILURE TO APPEAR

1. Failure to appear before the Traffic Court Judge for a contested non-mandatory appearance will constitute a plea of guilty. The maximum number of allowable points will be assessed against the respondent's driving record and a notification be sent to the respondent's Commanding Officer or civilian supervisor notifying them of the failure to appear.

2. Failure to appear before the Traffic Court Judge for a mandatory appearance will result in the immediate suspension of station driving privileges until such time the offender appears before the Traffic Court Judge and is adjudicated. At the completion of Traffic Court, the Traffic Court Clerk will publish a roster of adjudications from court and a list of personnel who have failed to appear and have been placed on temporary suspension. Commands with Marines scheduled for Traffic Court will be notified of a Marine's court date, and will receive details of adjudication from the roster published by the Traffic Court Clerk.

7006. RESPONDENT RIGHTS. Every contested case shall be fully and fairly heard. Individuals contesting a traffic citation will have the opportunity to confront witnesses, present evidence on their behalf, and make statements relevant to the circumstances of their case and its disposition. Legal counsel may appear with the respondent, however, such counsel must be provided by the respondent at no cost to the government. Military defense counsel will not be provided to respondents.

7007. DEFECTIVE VEHICLE VIOLATIONS. These violations require the individual to correct deficiencies and show proof of the correction within five working days or request an extension. Failure to comply will result in a mandatory Traffic Court appearance, assessment of points, or driving privilege suspension against the individual's driving record as indicated in enclosure (2). Failure to correct the deficiency by the scheduled magistrate date or failure to appear will result in the suspension of station driving privileges until such time the offender appears before the Traffic Court and is adjudicated.

7008. APPEALS. Any person whose driving privileges have been suspended or revoked, or who has received an assessment of points and considers the decision of the Traffic Court Judge to be unjust or disproportionate to the offense committed, may

appeal the matter via the chain of command and the Provost Marshal to the Commanding Officer (Attn: Station Inspector). Appeals must be in writing and submitted to PMO within 10 working days after appearance before the Traffic Court. Except in unusual circumstances, an appeal not received within 10 working days will be the summarily denied by the Commanding Officer.

7009. APPEARANCE BEFORE THE TRAFFIC COURT. Persons that are issued a traffic citation will receive instructions when the citation is issued.

1. Active Duty Personnel

a. Active Duty Members are directed to inform their Commanding Officer of the violation.

b. Commanders and supervisors are responsible to ensure violators appear before the Station Traffic Court at the time and date prescribed.

c. If the violator is unable to appear on the date assigned, it is the responsibility of the violator's chain of command to reschedule the appearance.

d. Commanders are encouraged to send a unit representative with personnel to observe, advise, and assist the violator at their appearance.

e. Active duty military members will appear in the uniform of the day. The Traffic Court Clerk will advise the respondent as to the uniform to be worn.

2. Civilian Employees, Military Family Members, Military Retirees, and Civilians

a. Civilian employees are directed to inform their supervisor of the violation. The first line supervisor is responsible to ensure violators appear at the Station Traffic Court at the time and date prescribed.

b. Military family members are directed to inform their military sponsor of the violation. Military sponsors are responsible to ensure violators appear at the Station Traffic Court at the time and date prescribed. Juveniles under the age

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of eighteen who are required to appear, must be accompanied by their military sponsor or parent.

7010. PRESUMPTION RELATIVE TO A BLOOD ALCOHOL TEST. The amount of alcohol in a person's blood at the time of the alleged event, as shown by chemical analysis of his breath, blood, urine or other bodily substance shall give rise to the following presumptions:

1. If there was, at the time the test was taken, .08% and above concentration of alcohol in the person's blood, it shall be presumed that the person was under the influence of intoxicating liquor, and is guilty of Driving Under the Influence (DUI).

2. If there was, at the time the test was taken, .05% to .079% concentration of alcohol in the person's blood, and competent evidence to indicate that the person was impaired, it shall be presumed that the person was impaired by the effects of alcohol and was Driving While Impaired (DWI).

3. If there was, at the time, .05 or less concentration of alcohol in the person's blood, and there is no evidence to indicate that a person was impaired, there is no presumption of being under the influence of intoxicating liquor.

4. For a person under 21 years of age to operate or be in actual physical control of a motor vehicle while there is any spirituous liquor in the person's body (anything over .00%), this shall constitute DUI.

7011. AUTHORITY OF COMMANDING OFFICERS AND SUPERVISOR

1. The action taken by the Traffic Court Judge does not relieve commanding officers or supervisors from taking administrative or disciplinary action, as appropriate, against military personnel or civilian employees.

2. The Commanding Officer or supervisor of any person who has been convicted of any serious crime, wherein a motor vehicle was instrumental, must notify the Traffic Court Clerk of the incident.

TRAFFIC ENFORCEMENT REGULATIONS

CHAPTER 8

THIRD PARTY CITATIONS

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TRAFFIC ENFORCEMENT REGULATIONS

CHAPTER 8

THIRD PARTY CITATION

8000. GENERAL. It is the intent of the Station Commanding Officer to continuously use all available means to reduce motor vehicles violations, accidents, and incidents from occurring aboard MCAS Yuma. Third Party Citations are an additional means to assist in reporting flagrant violations.

8001. AUTHORITY

1. All Non Commissioned Officers who observe moving violations that are unsafe driving behavior among suspected Marines and Sailors on station are expected to report such behavior to the Traffic Court Judge by completing a Voluntary Statement.

2. The intent is to identify those active duty service members who are driving a POV or GOV in an unsafe manner.

3. Reports of violations will be for moving violations only.

8002. PROCEDURES

1. The NCO, SNCO, or Officer that observes a violation will follow these procedures:

a. Do not commit an unsafe or unlawful act to get a license plate or a vehicle description.

b. Record the vehicle license plate number, vehicle description (color, make, model). Basic description of driver, alleged traffic violation of offense, time, date, and location.

c. Report to PMO within 24 hrs of the observed violation, and complete a Voluntary Statement regarding what occurred.

d. Once the statement is completed and received by PMO, Military Police will issue a 1408 citation for the third party observation.

2. A Voluntary Statement used for a Third Party Citation is considered an official government document and a sworn statement.

8003. ADMINISTRATIVE ACTIONS

1. All Third Party Citation's will be processed by the Traffic Court Clerk.

a. The identity of the driver and determination of vehicle ownership will be completed by Military Police and provided to the Traffic Court Clerk. The Traffic Court Clerk will process the Third Party Citation of adjudication.

b. For those violations requiring mandatory appearance in Traffic Court, the Traffic Court Clerk will notify the respondent of the alleged violation and assign a date for the respondent to appear before the Traffic Court Judge.

c. For violations that do not require mandatory appearance in Traffic Court, the Traffic Court Clerk will notify the respondent of the alleged violation. The respondent may choose to contest the alleged violation and request a traffic court date or plead guilty in person or via phone to the Traffic Court Clerk prior to the assigned traffic court date.

(1) The Traffic Court Clerk, upon recording a guilty plea, will assess the appropriate number of points to an individual's station driving record by utilizing the number of points listed in enclosure (2).

(2) Those persons wishing to contest their citation will appear before Traffic Court Judge.

d. Complainants will be required to appear before the Traffic Court Judge if the respondent desires to contest the Third Party Citation or if the violation is a mandatory appearance.

(1) The Traffic Court Clerk will notify the complainant of assigned court dates.

(2) Failure to appear of complainant will constitute dismissal of any violation against a respondent.

e. Failure to appear before the Traffic Court for a contested non-mandatory violation will constitute a plea of

guilty. The maximum number of allowable points will be assessed against the respondent's driving record and a notification will be sent to the respondent's Commanding Officer or civilian supervisor notifying them of the failure to appear.

f. Failure to appear before the Traffic Court Judge for a mandatory appearance will result in the immediate suspension of station driving privileges until such time the offender appears before the Traffic Court and is adjudicated.

(1) The Traffic Court Clerk will publish a roster of adjudications and of all personnel who have failed to appear and have been placed on temporary suspension.

(2) Commands with Marines scheduled for traffic court will be notified of court dates and of adjudications from court by the roster published by the Traffic Court Clerk.

TRAFFIC ENFORCEMENT REGULATIONS
TABLE OF VIOLATIONS AND ADMINISTRATIVE ACTIONS

Code No.	Violation	Points	Req'd Appear	Suspension / Revocation
101	Failure to Appear in Station Traffic Court as ordered		M	Mandatory Temporary Suspension; Discretionary revocation for up to 5 years (60) months
102	Manslaughter or negligent homicide by vehicle resulting from the operation of a motor vehicle.		M	Mandatory one year revocation. Discretionary revocation for up to 5 years (60) months
103	Driving without a valid driver's license (to include driving out of classification or without required corrective lenses).	3	M	Temporary suspension until compliance
104	Driving without a valid driver license in possession.	3	M	Temporary suspension until compliance
105	Driving while state driver's license or installation driving privileges are suspended/revoked or in violation of restricted driving privileges.		M	Mandatory two year revocation. Discretionary revocation for up to 5 years (60 months)
106	Permitting a person other than a Bona-fide Dependent to operate a Revoked/Suspended person's motor vehicle on Station. Applies to both the owner and driver of the vehicle.		M	Discretionary revocation for up to 5 years (60) months
107	Owner permitting unlawful or fraudulent use of driver's license.		M	Suspension not more than six months or revocation no more than one year, discretionary
108	Illegal transfer of a Station vehicle decal from one vehicle to another, (failure to de-register).		M	Suspension not more than six months or revocation no more than one year, discretionary
109	Fraudulent/altered use of a drivers license	6	M	Removal of Decal/Pass AND mandatory suspension until compliance
110	Owner allowing an unlicensed driver to drive.	3	M	One month suspension discretionary
111	Perjury or making a false statement of affidavit under oath to responsible officials relating to ownership or operation of a motor vehicle.		M	Mandatory one year revocation
112a	Driving without valid state registration.	6	M	Suspension until proof of registration is shown.
112b	Driving without proof of valid state registration	3	M	Suspension until proof of registration is shown
113	Fraudulent application for, use of or alteration of state registration, Station decal, temporary registration or vehicle pass.	9	M	Suspension not less than six months or revocation no more than one year, discretionary
114	No motor vehicle insurance.	6	M	Removal of Decal/Pass AND mandatory suspension until compliance
115	No proof of insurance in possession.	3	M	One month suspension discretionary

116	Use of motor vehicle in the commission of a felony.			M	Mandatory one year revocation. Discretionary revocation up to 5 yrs
117	Unauthorized use of a motor vehicle belonging to another, which does not amount to a felony (misappropriation of vehicle).			M	Mandatory one year revocation
118	Conviction by military or civilian court or non-judicial punishment for any drug related offense, including offenses involving drug paraphernalia, whether or not a motor vehicle was involved in the offense.			M	Mandatory one year revocation
119	Commission of an offense in another jurisdiction which if committed on the installation would be grounds for suspension or revocation.	6		M	Suspension not more than six months or revocation no more than one year, discretionary. Administrative action will be consistent with violations of this Table.
120	Driving or being in physical control of a motor vehicle while under the influence of alcohol (.08% blood alcohol content or greater). This is to include all such offenses that occur in civilian jurisdiction.			M	Mandatory one year revocation
121	Driving or being in physical control of a motor vehicle while impaired (.05% or more but less than .08% blood alcohol content) This is to include all such offenses that occur in civilian jurisdiction.			M	Mandatory one year revocation
122	Refusal to submit to or failure to complete a chemical test to determine BAC% (Implied Consent). This is to include all such offenses that occur in civilian jurisdiction.			M	Mandatory one year revocation
123	Under age DUI. For a person under the age of 21 years to operate or be in actual physical control of a motor vehicle while there is any spirituous liquor in the person's body. This is to include all such offenses that occur in civilian jurisdiction.			M	Mandatory one year revocation
124	Possessing or allowing open container of an alcoholic beverage in a motor vehicle.	6		M	Three month suspension. Must complete remedial driver improvement within 60 days
125	Driving a motor vehicle while under the influence of any narcotic or while under the influence of any drug to a degree rendering the driver incapable of safe vehicle operation.			M	Mandatory one year revocation
126	Owner knowingly and willfully permitting a physically impaired person to operate the owner's vehicle.	6		M	Suspension not more than six months or revocation no more than one year, discretionary

127	Mental or physical impairment (not including alcohol or other drug use) to the degree rendered incompetent to drive.	6	M	Suspension not more than six months or revocation no more than one year, discretionary
128	Operating a motor vehicle in possession of an illegal weapon which is within the driver's reach.	6	M	Suspension not more than six months or revocation no more than one year, discretionary
129	Operating a motor vehicle in possession of an illegal weapon not within the driver's reach.	6	M	One to three-months suspension, discretionary.
130	Storing a weapon in a motor vehicle.	6	M	Suspension not more than six months or revocation no more than one year, discretionary
131	Fleeing the scene of an accident (hit and run) resulting in death or personal injury.		M	One year revocation mandatory and discretionary revocation of up to 5 years (60) months
132	Fleeing the scene of an accident (hit and run) involving damage to property of another, without making identity known (non-injury).	6	M	Six-months suspension, discretionary.
133	Fleeing or attempt to elude Military Police	6	M	Suspension not more than six months, or revocation no more than one year, discretionary
134	Reckless driving, (willful and wanton disregard for safety of persons or property.	6	M	Suspension not more than six months, or revocation no more than one year, discretionary
135	Negligent operation of motor vehicle, resulting in property damage or bodily injury (to include unsafe vehicle).	6	M	Suspension not more than six months, or revocation no more than one year, discretionary
136	Impeding the normal and reasonable flow of traffic (unless required for emergency safe operation).	3		Up to one-month suspension, discretionary.
137	Speed contest. Attempt to race or racing a motor vehicle on a highway or roadway.	6	M	Suspension not more than six months or revocation no more than one year, discretionary
138	Speed too fast for conditions	3		Suspension not more than six months, or revocation no more than one year, discretionary
139	Speed too slow, causing potential safety hazard	2		
140	Speeding, 1 to 10 miles per hour above posted speed limit.	3		
141	Speeding, 11 to 15 miles per hour above posted speed limit.	4		
142	Speeding, 16 to 20 miles per hour above posted speed limit.	6	M	Up to three-months suspension, discretionary.
143	Speeding, 21 or more miles per hour above posted speed limit.	6	M	Suspension for six months or revocation no more than one year, discretionary.

144	Exhibition of speed, intentionally breaking traction, careless driving, or excessive acceleration.	4	M	Up to three-month suspension, discretionary.
145	Failure to yield the right of way to another motor vehicle.	4		
146	Failure to yield the right of way to pedestrian in crosswalk	4		
147	Failure to yield the right of way to emergency vehicle.	6		Suspension not more than six months, or revocation no more than one year, discretionary
148	Failure to see intended motor vehicle movement could be made safely.	3		
149	Failure to maintain control of motor vehicle.	3		
150	Failure of operator or occupants to use available seatbelts while moving. First offense. Second Offense. Third Offense.	2	M	Seven-day suspension. Must complete a Remedial Driver Improvement within 30 days of violation. Three-month suspension Six-month suspension
151	Failure to properly restrain children in a car seat while moving. First offense. Second Offense. Third Offense.			Seven-day suspension. Must complete a Remedial Driver Improvement within 30 days of violation. Three-month suspension Six-month suspension
152	Failure to allow sufficient clearance from another vehicle (following too close).	4		
153	Failure to obey traffic signals, signs, or traffic instructions of an enforcement officer requiring a full stop, yield the right-of-way, do not enter, or one way only.	4		
154	Failure to signal or giving improper signal when turning.	3		
155a	Failure to dim headlight high beams to oncoming traffic.	3		
155b	Failure to use headlights during periods of reduced visibility (before dawn/after dusk, inclement weather)	4		
156	Improper/Unsafe turning movements.	3		

157	Improper/Unsafe passing or overtaking (to include crossing solid yellow lines and passing troops in formation).	4		
158	Passing a stopped school bus with passengers exiting or entering the bus, (red lights flashing).	6	M	Suspension not more than six months, or revocation no more than one year, discretionary
159	Use or wearing headphones, earphones, or cellular phones while operating any motor vehicle.	3		
160	Overloading passengers or improper placement of passengers.	3		
161	Inattention to driving (driver not paying attention to the road or pre-occupied with a radio, drink, etc.).	3		
162	Driving on sidewalk	3		
163	Driving in a restricted area.	4	M	Up to one-month suspension, discretionary.
164	Driving off of the designated hard surface roads (off-roading).	4		
165	Driving on a seeded area.	3		
166	Littering from a vehicle.	6	M	Up to six-months, discretionary.
167	Unattended child (ten years or younger) in a motor vehicle.	3	M	Suspension not more than six months or revocation no more than one year, discretionary
168	Illegal Parking. First Offense. Second Offense. Third Offense. Fourth Offense.	0-2 3 4	M	Up to one-month suspension, discretionary. Up to two months suspension, discretionary. Up to six months suspension, discretionary. Suspension not more than six months.
169a	Parking on sidewalk, lawn, seeded area, landscaped area, or unpaved area not designated as parking area.	3		
169b	Within 20 feet of security fence or 30 feet of Station perimeter fence.	3		
169c	Within 5 feet of trash dumpster.	3		
169d	15 feet of fire hydrant or stop sign.	3		
169e	Obstructing the normal flow of traffic or driver vision.	3		Refer to basic parking code. Vehicles are subject to immediate tow.
169f	Within the Flightline Restricted Area without Air Operations permission.	0-4	M	Up to three months suspension discretionary. Vehicles are subject to immediate tow.
169g	Within fire lane, fire zone, or bicycle lane.	4		Vehicles may be subject to immediate

					tow.
169h	Within 5 feet of any building or structure unless specifically designated as a parking area.		3		Refer to basic parking code.
169i	In a marked handicapped zone.		4		
169j	Parked in a loading zone.				Refer to basic parking code.
169k	Parked in a red zone.		0-3		
170	Use or display sticker or painted application of profane, provocative, distasteful remarks or conduct on vehicle.		4	M	Directed removal of profanity or provocative statement or painted application.
171	Failure to comply with traffic magistrate orders.		6	M	Suspension not more than six months or revocation not more than one year
172	Failure to correct defective equipment.		6	M	One month suspension or until defective equipment is fixed.
173	Crossing a fire hose.		3		
174	Unsafe towing of trailer.		3		
175	Open vehicle doors into the flow of traffic		3		
176	Use or display of radar detector in motor vehicle.		4		
177	Operating a motor vehicle with unauthorized or prohibited equipment.		4		
178	Driving with loud music (audible from outside the vehicle).		4	M	Up to one-month suspension, discretionary.
179	Habitual Offender of traffic law or regulations (Four or more violations within a twelve month period; or accumulation of 12 points within 12 months; or accumulation of 18 points within 24 months)			M	Revocation 6 months mandatory

MOTORCYCLE PROVISIONS IN ADDITION TO THE ABOVE

Code No.	Violation	Points	Req'd Appear	Suspension / Revocation
M001	Grandstanding, (showing-off).	4	M	Up to two-months suspension, discretionary.
M002	Improper passing of another vehicle using the same lane of travel.	4		
M003	Riding between lanes of moving traffic or between parked motor vehicles (weaving in-and-out of traffic).	4	M	Up to one-month suspension, discretionary.
M004	Allowing passenger to ride side-saddle.	3	M	Up to one-month suspension, discretionary.
M005	Riding a motorcycle without motorcycle classification on driver license.	3	M	Suspension not more than six months or revocation no more than one year, discretionary.
M006	Allowing another to drive a motorcycle without a motorcycle classification.	3	M	Suspension not more than six months or revocation no more than one year,

M007	Carrying cargo as so to interfere with safe control and operation of the motorcycle.	3		discretionary.
M008	Failure to wear proper PPE.	4	M	Up to one-month suspension, discretionary.
M009	Operating a motorcycle with unauthorized or prohibited equipment.	4	M	Show proof of correction. Up to one-month suspension, discretionary.

NOTE: 1. When imposing a suspension or revocation because of an off-station offense, the effective date shall be the same as the date of civil conviction, or the date the state driving privileges are suspended or revoked. This effective date can be retroactive.

2. No points are assessed for revocation actions. Except for implied consent violations, revocations must be based on a conviction by a civilian court or courts martial, non-judicial punishment under Article 15, or a separate hearing by the Traffic Court Judge. If revocation for implied consent is combined with another revocation, such as one year for intoxicated driving, revocations will run concurrently (total of 12 months).

VEHICLE SAFETY AND EQUIPMENT REQUIREMENTS.

1. General. Safety inspections of vehicles are the responsibility of the vehicle owner/operator. The minimum acceptable vehicle safety requirements as outlined in reference (d) are:

- a. Operational windshield wipers;
- b. Headlights with operational high and low beam, properly aimed. The distance that the headlights must reach is five hundred feet. The head light may not be more than fifty-four inches and not less than twenty-four inches off the ground;
- c. Operational parking lights visible from a distance of five hundred feet;
- d. Operational tail lights that are red in color and visible from a distance of five hundred feet to the rear or one thousand feet for vehicles manufactured after 1 January 1969;
- e. Operational license plate white light that is visible from 50 feet;
- f. Operational brake lights visible and understandable during daylight and darkness from a distance of two hundred feet;
- g. Front and rear operational turn signals visible during daylight and darkness from a distance of one hundred feet;
- h. Operational speedometer;
- i. Operational horn that is audible from a distance of 200 feet;
- j. Rear view mirrors that afford vision to the rear for a distance of 200 feet. A minimum of two such mirrors are required, one of which must be affixed to the driver's side of the vehicle;
- k. Muffler must reduce motor noise to a reasonable degree and be free of leaks. Exhaust systems will not be equipped with a by-pass kit or other modifications that increase noise;

Enclosure (3)

1. Front windshield, rear, and side glass must be free of cracks or objects that obstruct vision or create a safety hazard.

(1) Linear and spider cracks across the windshield are considered unsafe. Star cracks must not be in the view area of the windshield.

(2) Signs, stickers, or other materials that are displayed on the windshield will be restricted to a seven square inch portion in the lower corner of the windshield farthest removed from the driver, a five square inch portion in the lower corner to the driver, and a four square inch portion immediately above the center rear view mirror;

m. Tires must have a minimum of 1/16 inch of tread on the entire circumference of the tire that contacts the roadway and must be free of breaks and protuberances. Racing slicks are prohibited.

n. Vehicles manufactured with hoods, doors, and trunk lids must possess these items and they must close securely without the use of straps, wires, or other foreign devices.

(1) Vehicles manufactured with removable doors and tops (i.e. Jeeps, Ford Broncos, Chevrolet Blazers, etc.) are authorized.

(2) Vehicles with removable doors and tops must have the doors and tops when the vehicle is registered.

o. Parking brakes must be capable, when fully applied, of holding a vehicle stationary on a five percent grade.

p. All privately owned vehicles manufactured after 1966, except motorcycles, must be equipped with seat belts for the operator and all passengers. Vehicles that have been altered from stock condition are required to have seatbelts installed.

q. Vehicles of model year 1973 or newer shall be equipped with a certified device to control the emission of pollutants from the crankcase and exhaust.

r. No vehicle shall have any object or material (tint) placed, displayed, installed, affixed, or applied in or upon the

vehicle which obstructs or reduces the drivers clear view through the front windshield. Driver and passenger side windows and rear window may be tinted up to 35% tint.

2. Motor Vehicle Safety Inspections. Individual vehicle owners are responsible to ensure that their POVs are in good mechanical condition and meet the minimum requirements of reference (b). PMO will periodically inspect vehicles for minimum safety requirements in conjunction with decal issue, security checks, traffic stops, or as otherwise directed. This does not apply to motorcycle safety inspections conducted by DOSS.

3. Modification/Alterations to Vehicles

a. Modification of Suspension Systems. Modifications or alterations to the suspension system of a vehicle must conform to the requirements in reference (b) and this order.

(1) No vehicle shall be modified from the original design so that any portion of the vehicle has less clearance from the surface of a level roadway than the distance between the roadway and the lowermost portion of any rim of any wheel.

(2) Any vehicle that does not conform to these height requirements will not be allowed on station nor will it be registered.

(3) No vehicle shall have the rear end of the vehicle elevated.

b. No vehicle will be allowed on station that displays decals, paintings, or written material that has or may have a tendency to produce a breach of peace or other disturbance that would directly interfere with the orderly functions of the station.

c. Modifications and alternations not covered in this Order may be prohibited if the Provost Marshal deems such modifications as potentially hazardous or detrimental to good order and discipline aboard the Air Station.

MOTORCYCLE SAFETY AND EQUIPMENT REQUIREMENTS

1. Required Personal Protective Equipment (PPE). Per reference (b), the following PPE is mandatory for all persons operating or riding as a passenger on a motorcycle aboard MCAS Yuma, and for all military personnel operating or riding a motorcycle off the installation, on or off road, in uniform or civilian attire.

a. Helmet. All riders and passengers must wear a properly fastened (under the chin) protective motorcycle helmet that meets the standards of the Department of Transportation (DOT), or the Snell Memorial Foundation (SNELL).

b. Eye Protection. Impact or shatter resistant goggles (protective lenses set in a flexible frame, i.e. rubber or plastic, and fit snugly against the face) or a full-face shield attached to the helmet is required. A windshield, eyeglasses, sunglasses, safety glasses, or fairing alone is not considered proper eye protection.

c. Clothing

(1) A brightly colored, long-sleeved outer upper garment during the day. During hours of reduced visibility and at night, a retro-reflective outer upper garment or a commercially available mesh/fabric vest that is bright yellow, international orange or lime green with two 1 ½" to 2" wide vertical or horizontal retro-reflective strips on the front and back.

NOTE: Colors such as, but not limited to black, brown, dark blue, dark gray, and dark red are not considered brightly colored. Military uniforms of any kind or organizational clothing are also not considered brightly colored.

(2) Riders are encouraged to wear motorcycle protective jackets. Motorcycle jackets will be acceptable as outer upper garments at night, if there is a retro-reflective piping and or paneling built into the jacket that is visible from 360 degrees when the rider is sitting upright on the motorcycle.

(3) Reflective vests and motorcycle jackets are authorized for wear by Service Members in uniform. They will however, be removed as soon as the Service Member gets off the motorcycle.

Enclosure (4)

(4) Any other article of clothing besides a retro-reflective vest or motorcycle riding jacket is NOT authorized for wear in uniform. (e.g. a long-sleeved shirt over the camouflage uniform).

(5) The reflective outer garment must not be covered or concealed by anything, such as by a backpack.

(6) Hard-soled shoes with heels. The use of leather boots or over the ankle shoes is encouraged.

(7) Long-legged trousers and full-fingered gloves or mittens.

d. The PPE for motorcycle operators during off-road operations should also include knee and shin guards or off-road Marine Corps boots and padded full-fingered gloves.

e. Paragraph 1.a above is punitive in nature. A Marine or service member of any Service attached to a Marine Corps command, and a service member of any Service while abroad the U.S Marine Corps installation, who violates the terms of this paragraph is subject to punitive action under the UCMJ. Any such person who operates a motorcycle with a passenger who is not in compliance with the requirements of this paragraph is also subject to punishment for violation of this paragraph.

2. Equipment Requirements

a. Mirrors. No motorcycle will be operated on the installation without a rearview mirror attached to each side of the handlebars or fairing. They must afford a clear view to the rear of at least 200 feet.

b. Seats. Each motorcycle passenger shall be provided with a regulation seat and footrest.

c. Brakes. Motorcycles will be equipped with brakes on all wheels, except the wheels of a sidecar. Brakes must be capable of holding the vehicle in gear at the idle while slowly releasing the clutch until the engine decelerated. All brakes will be maintained in good working order and free of leaks and/or frayed cables.

d. Drive Guard. Chain, belt, and shaft drives must have a proper cover. Chain drives will be inspected for loose links and excessive play, 1 ½ inch up and down movement from center of sprockets. Drive guards, sufficient to protect the rider and passenger, will be properly installed.

e. Fenders. Motorcycles will be equipped with rear fenders. Fenders may not be altered in any manner that leaves sharp or jagged edges.

f. Fuel Tanks. The fuel tank filling spout must be closed by a cap or cover with no sharp points and must be made of noncombustible materials. There must be no visible fuel leaks.

g. Horn. Every motorcycle must have a functional electric horn that is audible from a distance of 200 feet, but does not emit a whistle sound or an unreasonably loud or harsh sound.

h. Muffler. Every motorcycle subject to vehicle registration will have a muffler that prevents any unusual or excessive noise. It will not be equipped with a cut out, bypass, or similar device.

i. Tires. No tire shall be used if it is worn so that less than 1/16 of an inch of tread depth remains in any two adjacent grooves at any location of the tire. Re-grooved tires are prohibited.

j. Wheels. Wheels will have no visible damage. The front and rear wheels must be properly aligned, with no missing or broken spokes.

k. Windshield. A windshield is not required. Red or amber glazing material is prohibited. Safety glazing material shall be used when replacing any glazing material in a windshield.

l. Operator Control. The throttle, clutch, shift lever, and all other controls must operate smoothly with no sticking or binding. Cables must be firmly connected and serviceable.

m. Lighting Equipment. Motorcycles will be equipped with a headlamp, license plate lamp, rear reflector, brake lamp, and tail lamp in good working order. Headlamps must have functioning high and low beams. If equipped, the hi/low beam indicator must work.

(1) Headlamp. The headlamp will be mounted on the front of the motorcycle between 24 and 54 inches above the roadway. It will be sufficient intensity to reach five hundred feet. The headlamp will be on at all times while the motorcycle is in operation.

(2) License Plate Lamp. Either the tail lamp or a separate lamp is required to illuminate the entire surface of the license plate during darkness. The license plate must be legible from a distance of 50 feet. If a separate lamp is used, the switch controlling the tail lamp must control it.

(3) Reflector on Rear. At least one approved red reflector, either separate or in combination with a required lamp, will be mounted on the rear of the vehicle between 20 inches and 60 inches above the roadway.

(4) Stop Lamp. At least one red stop lamp is required on the rear of the motorcycle. It must be actuated upon application of both the front and rear brakes, together or separately, and must be visible from 300 feet. Stop lamps will be mounted on the rear of the vehicle between 20 inches and 60 inches above the roadway.

(5) Tail Lamps. Will be amber when illuminated, and seen from 300 feet.

(6) Turn Signals. A turn signal system is required on all motorcycles originally equipped with turn signals. The system will include four turn signal lamps, 2 single-faced front lamps and two single-faced rear lamps, so connected that the front and rear lamps on the side toward which a turn is made will flash to indicate the turn. The lamps will be mounted as far apart as practical, but in no case be closer than six inches, center to center.

3. Prohibited Equipment

a. Elevated Handlebars. Handlebars shall not be positioned so that the hands of the driver, when upon the grips, are above shoulder height when sitting astride the motorcycle. When seated in an upright position with arms extended to the front, the handgrips will come no closer to the driver than his wrists.

b. Seats. Seats positioned in such a manner that the driver, when sitting astride the motorcycle, cannot reach the ground with his feet are prohibited.

c. Backrest. Backrests are designed for the purpose of back support, storage support, or appearance. Backrest will not have pointed ends or emblems with exposed sharp points.

d. Forks. Forks that have been extended through the use of slugs or other devices are prohibited.

e. Frames. Must be free of cracks or structural defects.

f. Passengers will have a seat and footrest securely fastened to the motorcycle. The passenger will ride behind the rider, or in a sidecar properly attached to the motorcycle.

From: Commanding Officer, Marine Corps Air Station, Yuma
To: _____

Subj: PRELIMINARY SUSPENSION OF DRIVING PRIVILEGES

Ref: (a) DoDI 6055.4
(b) MCO 5110.1D
(c) StaO P5560.3A

1. You were apprehended/arrested on _____ (Date), at _____ (Time), at _____ (Location), for _____ (Enter letter from choices listed below).

- a. DWI with BAC of .05 to .079%.
- b. DUI with BAC of .08% or higher.
- c. Refusal to take or complete a BAC test.
- d. DUI with BAC pending blood/urinalysis results.
- e. Driving while on suspension or revocation.
- f. Use, offering for sale, manufacturing, possession or transportation of marijuana, illegal narcotics, or other illegal drugs or drug paraphernalia.
- g. Driving without valid insurance.
- h. Driving without current registration.
- i. Other (specify).

2. Per references (a) and (b), you are notified that your driving privileges are temporarily suspended until you are adjudicated in Station Traffic Magistrate proceedings. This suspension includes all Department of Defense (DoD) installations, all access roads leading to points of entry to DoD installations, and here at MCAS Yuma includes the following: Pass and Registration parking lot building 952, Cannon Air Defense Complex (P-111), and 16th Street Housing. You have five (5) working days to request a hearing to vacate the preliminary suspension. Failure to complete a request for hearing within the 5 working days period will result in continuation of preliminary suspension until there has been a criminal, nonjudicial or administrative disposition.

3. Requests for hearing should be forwarded, in writing, through your chain of command, to the Commanding Officer (Attn: Traffic Court Clerk), Marine Corps Air Station, Yuma. Upon receipt of the request, a hearing will be scheduled within 10 working days of the request.

4. You are further directed to report to Pass and Registration, building 952, the next working day for deregistration of your vehicle(s) and confirmation of your court date with the Traffic Court Clerk. If you are married and your spouse drives, Pass and Registration personnel will make the necessary changes to your decal to allow your spouse access privileges.

L. W. VINES
By direction

ENDORSEMENT

1. I understand that the operation of any vehicle (POV/GOV) at or on any DOD installation is prohibited. I also understand that before I can drive any government vehicle, my Commanding Officer must request, in writing, reinstatement of my driving privileges to operate government vehicles only.

2. I received this letter on _____ (Date), at _____ (Time).

(Signature of Endorsee)

(Signature of Witness)

(Time and Date)