

Department of the Army  
Fort Detrick, Maryland  
17 February 2006

**\*Fort Detrick Regulation 190-5**

**Military Police**

**FORT DETRICK TRAFFIC CODE**

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**Summary.** This regulation prescribes policies and procedures for the registration of privately-owned vehicles (POVs) and the safe and legal operation of all vehicles, both privately-owned and military, when on Fort Detrick property, and specifies conduct subject to enforcement through administrative or judicial forums.

**Applicability.** This regulation applies to owners and operators of privately-owned vehicles, having a valid need to drive their vehicles on Fort Detrick property.

**Supplementation.** Supplementation of this regulation and establishment of command and local forms, except by the proponent, is prohibited.

**Interim Changes.** Interim changes to this regulation are not official unless initiated by the proponent and authenticated by the Deputy Installation Commander or his/her representative.

**Suggested Improvements.** The proponent of this publication is the Director, Emergency Services, U.S. Army Garrison, Fort Detrick, Maryland. Users are invited to submit comments on DA Form 2028 (Recommended Changes to Publications and Blank Forms), to Commander, U.S. Army Garrison, ATTN: Director of Emergency Services, Fort Detrick, Maryland 21702-5000.

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**\*This regulation supersedes Fort Detrick Regulation 190-5, dated 15 May 2001.**

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## **Section I Introduction**

### **1-1. Purpose**

This regulation prescribes policies and procedures for vehicular and pedestrian traffic control on Fort Detrick. It provides for the registration of privately-owned vehicles (POVs), and the safe and legal operation of all vehicles, both privately-owned and military, on Fort Detrick property. Violations of this regulation committed by U.S. military personnel may be prosecuted under Article 92 or other appropriate article(s) of the Uniform Code of Military Justice (UCMJ). Appropriate administrative action may also be taken in accordance with applicable regulations and directives. In accordance with 32 CFR Section 634.25 and Title 18 United States Code, both military members and civilians may be cited and prosecuted in U.S. District Court for violations of this regulation, pertinent federal law, or other federally assimilated state law. Administrative sanctions may also apply.

### **1-2. References**

- a. 18 USC 13, Crimes and Criminal Procedures
- b. 40 USC 1315 (and its predecessor, 40 USC 318a through d)
- c. 32 CFR Part 210, Enforcement of State Traffic Laws on DoD Installations
- d. 32 CFR Part 634, Motor Vehicle Traffic Supervision (2005)
- e. DOD Directive 5525.4, Enforcement of State Traffic Laws on DOD Installations
- f. AR 190-5, Motor Vehicle Traffic Supervision, 25 January 2006
- g. AR 385-55, Prevention of Motor Vehicle Accidents, 12 March 1987
- h. DOD 4160.21-M, Defense Utilization and Disposal Manual
- i. DODI 6055.4, DoD Traffic Safety Program, July 20, 1999
- j. FSH Reg 385-4, Use of Vehicle Safety Restraints
- k. FSH Reg 385-5, Running Safety

### 1-3. Explanation of Terms

a. Abbreviations

(1) CFR – Code of Federal Regulations

b. DIS – Directorate of Installation Services

c. ETS – Expiration of Term of Service

(4) PCS – Permanent Change of Station

(5) POV – Personally Owned Vehicle

(6) PMO – Provost Marshal Office

(7) TDY – Temporary Duty Station

(8) USC – United States Code

(9) USAG – United States Army Garrison, Fort Detrick, Maryland

d. Definitions

(1) Motor Vehicle – a vehicle propelled by an engine. For the purposes of this regulation, a motorcycle, moped, and motor scooter (even those operating on an engine which has an internal combustion engine with a capacity of 50 cubic centimeters piston displacement or less) is defined as a motor vehicle, and the operators of these vehicles must meet all driving and operating requirements specified for vehicles in this regulation.

(2) Park. The standing of a vehicle, whether occupied or not, other than temporarily for the purpose of and while actually engaged in loading and unloading merchandise or passengers.

(3) Parking on Roads. The stopping of a vehicle parallel to the curb or shoulder, headed in the direction of traffic with curbside wheels within 18 inches of the curb or edge or roadway except when angle parking is authorized by appropriate signs or markings.

(4) Road. Any street, and additionally, any driving lane in a parking lot.

(5) Stop. A complete cessation of movement.

**Section II  
Responsibilities**

**2-1. Commanders and Supervisors will –**

a. Enforce the POV registration program. Failure to comply with registration requirements may result in the suspension of on-post driving privileges and other disciplinary or administrative actions at the commander's or supervisor's discretion.

b. Require each member of his/her unit or section, operating a military or POV, be properly licensed and familiar with the installation and Maryland State traffic regulations.

c. Ensure personnel driving motorcycle(s) or moped(s) on this installation are aware of the provisions of the Army Motorcycle Safety Program (AMSP). Personnel must be properly trained and licensed, maintain minimum vehicle liability insurance, and register their motorcycle(s) in a timely manner.

**2-2. The Director of Emergency Services will –**

a. Administer the POV registration program.

b. Maintain a vehicle registration point to accomplish temporary or permanent registration, issue decals, complete DA Form 3626 (Vehicle Registration and Driver's Record), and change, renew, or terminate permanent registrations.

c. Coordinate the vehicle registration service at the Fort Detrick PMO Vehicle Registration Office, 1520 Freedman Drive, Fort Detrick.

d. Assist commanders and supervisors in enforcing the POV registration program.

e. Establish and enforce this regulation (a.k.a. the installation traffic code) pursuant to 32 CFR Section 634.25, enforce the provisions of AR 190-5, and enforce federal law and those provisions of state law which may be assimilated as federal offenses pursuant to 18 USC 13.

**2-3. Military Personnel Assigned to Fort Detrick will –**

Ensure that their family members and guests are familiar with the provisions of this regulation.

### **Section III Policy**

#### **3-1. Policy**

a. This regulation establishes installation policies and procedures to be used in conjunction with AR 190-5, AR 385-55, 32 CFR Part 634, and Maryland motor vehicle law.

b. Provisions of this regulation are mandatory. Any person subject to the Uniform Code of Military Justice (UCMJ), as defined by Article 2, UCMJ, violating any portion of this regulation, will be subject to disciplinary action under Article 92, UCMJ, federal statutes and regulations. Any person violating this regulation (which constitutes the Fort Detrick Traffic Code) is subject to misdemeanor prosecution in the U.S. District Court (see 32 CFR Section 634.25(f), DoD Directive 5525.4).

c. On post driving privileges of civilians and military members are governed by AR 190-5. Those privileges may be suspended or revoked in response to violations of this regulation or for other reasons authorized by AR 190-5.

#### **3-2. Vehicles Requiring Registration**

a. All POVs (to include motorcycles and mopeds) owned or operated by active duty or retired military personnel, their family members, any civilian employed on Fort Detrick, and frequent visitors (those having valid reasons for entering the installation on a prolonged period (30 to 90 days) will be registered with the PMO).

b. Non-motorized bicycles may be registered at the discretion of the owner. Registration of bicycles aid in their recovery should they be lost or stolen.

#### **3-3. Vehicles Requiring Passes/Temporary Registration**

Passes and temporary registration are only required when specifically directed by the Deputy Installation Commander. When so required, vehicles owned and operated by persons on Temporary Duty (TDY) or persons visiting Fort Detrick from four days to six months will be issued a temporary registration for their vehicles. Temporary permits may be obtained from the Fort Detrick Vehicle Registration Office, during normal duty hours (0800-1700 hours, Monday through Friday). Registration procedures for students who are TDY to Fort Detrick for more than twelve months are established in paragraph 3-6 (pertaining to permanent registration).

### **3-4. Registration Requirements**

The following prerequisites are required for both permanent and temporary registration for all motor vehicles including motorcycles and mopeds.

a. Personal photographic identification is required for military personnel, their family members, retired military personnel, and DOD civilian employees must present appropriate military or DOD civilian identification. Contractors and/or other civilians, requesting vehicle registration on the installation must have a permit to engage in business, other statement of employment, or a reason for entering the installation.

b. A valid state driver's license for the class of vehicle being registered.

c. A valid state vehicle registration or other evidence of legal possession of the vehicle.

d. A valid state safety inspection if the state of registration requires a safety inspection.

e. Evidence of continuing compliance with minimum requirements of all applicable insurance laws or regulations.

f. A valid current State emission inspection if the vehicle is driven on Fort Detrick more than 60 calendar days in a year.

g. Vehicles with elevated rear ends are unsafe and will not be registered. Springs should not be extended above the vehicle manufacturer's design height.

h. As applicable, a Motorcycle Defensive Driving Course (DDC), Motorcycle Operator's Safety Test (MOST) card, or equivalent recognized by the Installation Safety Officer. Before operation of any motorcycle, personnel shall successfully complete an approved rider or operator safety course. This training requirement excludes those operating motorcycles with attached sidecars and three wheel motorcycles. See paragraph 4-4 and Appendix E of this regulation for additional requirements pertaining to motorcycles, mopeds, and ATVs.

### **3-5. Name in which Vehicle will be Registered**

a. Vehicles will be registered in the name of the individual whose military or civilian employment status establishes the requirement for registration. Military status will be the determining factor when two or more eligibility criteria exist. For example, a military family member residing or employed on Fort Detrick will register the vehicle in the sponsor's name, regardless of who owns the vehicle.

b. In the case of military family members residing in the area, whose sponsor is not assigned to Fort Detrick, the vehicle will be registered according to the name on the state vehicle registration.

c. Personnel assigned to or employed at Fort Detrick, operating a vehicle owned by another person, will register in the name of the operator upon presentation of a power of attorney from the owner authorizing the operator to use the vehicle.

### **3-6. Permanent Registration**

a. All persons who live and work on Fort Detrick, who will operate a POV for 12 months or more will obtain a permanent registration for their POV. All personnel eligible for assignment to family quarters, to include student personnel otherwise exempted in paragraph 3-7, will register their vehicle(s) as part of their in-processing. Registration must be accomplished within 10 working days of bringing the vehicle onto the installation. This paragraph does not apply to those persons who have temporary registration(s) issued pursuant to paragraph 3-7 below or to any commercial, construction or material handling POVs (reference AR 190-5, para 3-1b).

b. Military and civilian personnel will apply for initial permanent registration during in-processing. Military personnel will receive registration instructions at the In/Out Processing Facility. Department of the Army civilian employees will receive registration instructions at the Civilian Personnel Advisory Center (810 Schreider St.) during in-processing. The actual registration of vehicles will be performed at the Vehicle Registration Office, or as otherwise directed by the Deputy Installation Commander. Provided all information required for the registration process is available as outlined in paragraph 3-8, vehicles need not be physically brought to the PMO

### **3-7. Temporary Registration**

The Director of Emergency Services, USAG, is authorized to grant temporary vehicle registration to the following categories of personnel, operating a POV on Fort Detrick:

a. Personnel assigned to, TDY, or employed on Fort Detrick, or transacting official business at Fort Detrick for a period between four days and twelve months. Student personnel (if registration is required) will be provided registration instructions as part of the administrative in-processing for their course of instruction.

b. Reserve Component personnel training at Fort Detrick for periods not to exceed 12 months.

c. Personnel clearing post. The permanent registration will be canceled and a temporary registration may be issued, if the individual is departing military service. Personnel who have vehicles permanently registered will cancel their vehicle registration as part of out processing, if they are civilians and departing the installation. This process will be accomplished at the Vehicle Registration Office. All previously issued decals (including DD Form 2220) will be removed. If they are changing agencies, then only updates to the organizational information is required.

### **3-8. Installation Decals**

a. DD Form 2220 (Department of Defense Registered Vehicle) and DA 3626 (Temporary Vehicle Registration) are the only decals authorized. All vehicles requiring permanent registration must use DD Form 2220 and a Fort Detrick tab. TDY personnel with a valid decal from other installations will be required to obtain a temporary registration from Fort Detrick if directed by the Deputy Installation Commander.

b. The installation tab portion of the DD Form 2220 will be color-coded by category of the registered POV owner as follows:

- (1) Officer - blue (active and retired)
- (2) Enlisted - red (active and retired)
- (3) DOD Civilian Employees - green
- (4) Contractors/Vendors – black

(5) Others – according to direction of the Director of Emergency Services, US Army Garrison, Fort Detrick (e.g. any standard decal issued for Non-DOD federal agency employees and contractors who have a primary place of operation on Fort Detrick)

c. One registration decal will be issued per vehicle and will be affixed to the vehicle's front left bumper or to the exterior (outside) of the windshield above the mirror. The decal can also be affixed to the bottom corner of the exterior (outside) driver's side of windshield. Decals will be affixed so as to be visible from the front of the vehicle and will not interfere with the driver's visibility. All decals will be on the weather side (outside).

d. Motorcycle registration decals will be affixed to the left front fork or to the plate on the front wheel housing so as to be visible from the front.

### **3-9. Reporting Changes in the Registration Data**

a. Registered owners/operators will update POV registration data within ten working days after becoming aware of the change. Update notices are required for changes in vehicle identification number, vehicle color, state license number, driver's license, organization, address, sale or other disposal of the POV.

b. Changes of registration data will be accomplished only by the registered owner or operator at the Vehicle Registration Office.

### **3-10. Termination of Registration**

When terminating registration because of sale or transfer of vehicle, disposal of vehicle, ETS, PCS, termination of employment, or revocation/suspension of driving privileges, the owner/registant will report to the Vehicle Registration Office with the removed decal, or remove the decal in the presence of vehicle registration personnel.

a. Permanent registration will be terminated:

(1) Five working days after the registered owner/operator of the POV becomes aware that he/she currently fails to meet any prerequisite to registration. Exceptions will be approved by the Provost Marshal only.

(2) When the registered owner or operator sells or otherwise disposes of the POV.

(3) When the registrant is clearing post upon PCS or ETS.

(4) When civilian employment / work on Fort Detrick is terminated or the employee / worker is transferred to another geographic area or installation.

(5) When the registered vehicle is rendered mechanically unsafe to operate on the highway as prescribed by the individual's state safety laws.

(6) When the individual's on-post driving privileges are suspended or revoked in accordance with AR 190-5. The individual will report to the Vehicle Registration Office, within five working days to cancel all registered vehicles. Licensed family member(s) may request registration of the vehicle.

b. Temporary registrations automatically terminate on the expiration date noted on the temporary registration card.

**Section IV**  
**Fort Detrick Traffic Code and Procedures**

**4-1. Parking Restrictions**

a. Stopping or parking is prohibited (except to avoid traffic congestion or in compliance with a traffic order or device) in the following places:

- (1) On a sidewalk.
- (2) In front of a public or private driveway.
- (3) Within 15 feet of a fire hydrant.
- (4) On a crosswalk.
- (5) Within 20 feet of an intersection.
- (6) Within 20 feet of a driveway entrance for emergency vehicles.
- (7) Alongside any vehicle (double parking) except in angle parking.
- (8) Where prohibited by official signs.
- (9) Upon lawns, grass, seeded areas, or unpaved surfaces not marked for normal traffic use.
- (10) Within 20 feet of buildings where the area is designated as a fire lane.
- (11) Within 50 feet of buildings designated for storage of flammable or explosives.
- (12) In service driveways.
- (13) Within 15 feet of refuse containers.
- (14) In any area designated as a loading/unloading area, except when actually loading or unloading. Vehicle must be attended at all times.
- (15) Outside marked stalls or on cross-hatched areas within parking lots where striping is employed.

(16) On all roads and service roads except when authorized by appropriate signs or markings. Exception: Housing areas, picking up/discharging passengers.

(17) Obstructing the normal flow of traffic.

**Note:** Emergency vehicles, when in the performance of official duties, are excluded from these prohibitions.

b. Stopping to Pick Up or Discharge Passengers. A privately-owned vehicle or conveyance may stop to pick up or discharge a passenger on any portion of the roadway not controlled by traffic signs, signals or devices. However, compliance with all existing traffic regulations governing the stopping and parking of vehicles is required. Vehicles will be stopped in a parallel position not more than 18 inches from the curb, on curbed roadways, and headed in the direction of traffic.

c. Drivers who accumulate three or more parking violations during any six-month period may have their driving privileges suspended for up to six months. The procedures regarding the suspension and revocation of driving privileges on the installation are set forth in AR 190-5, Chapter 2.

d. Use of the "Denver Boot" may be authorized by the Director of Emergency Services, USAG. In all cases drivers of "booted" vehicles will be provided information on the procedures they must follow to have the boot removed to avoid damage to their vehicle, including the ability to obtain a prompt hearing before the Director of Emergency Services, USAG, regarding release of their property. The "Denver Boot" may be authorized in the following instances:

(1) To compel chronic offenders to report to the Provost Marshal Office when other forms of enforcement, such as ticketing, warnings, revocation, or suspension of on-post driving privileges, have failed to achieve the desired result. Any vehicle which has received citations for three parking violations on the installation within a 12 month period is deemed to be subject to "chronic offender" enforcement.

(2) To immobilize an unsafe, uninspected, or unregistered vehicle.

(3) When the vehicle has been in the commission of a criminal offense or is likely to be used as an escape means by a wanted individual.

e. Persons going TDY, for more than seven days that wish to park their vehicles on the installation, must park them in a parking area designated by the Provost Marshal. Such persons shall report to the PMO prior to departing on the TDY for parking instructions.

#### **4-2. Fort Detrick Parking Plan and Reserved Parking Policy**

Commanders, Directors, or activity chiefs desiring to designate reserved parking spaces within their area will do so in accordance with the standards established by the parking policy in Appendix A.

#### **4-3. Handicapped/Disabled Parking Permits**

a. Fort Detrick's temporary Handicapped/Disabled Parking Permits may be obtained at the Vehicle Registration Office upon presentation of a medical authorization statement from the Patient Administration Services Office, 1434 Porter St, indicating the person meets one of the following requirements:

(1) A disabled veteran suffering 70 percent service-connected disability, who receives compensation from the Federal Government.

(2) Permanently disabled persons, active duty, family members of active duty, retired military, family members of retired military, or DOD civilians who have lost the use of both legs or who are severely disabled, so as to be unable to walk without the aid of a wheelchair or other mechanical device.

(3) A temporarily disabled person whose disabilities are similar to those noted in item 2 above, but not of a permanent nature, will be considered handicapped for a specific length of time as designed or designated by the physician's statement.

b. Fort Detrick temporary permits are issued for a period of six months or less and are valid only on this installation.

c. Personnel with a requirement to utilize handicapped parking spaces throughout the state should obtain permanent or temporary permits from the nearest Department of Motor Vehicle office.

d. Individuals possessing a Disabled Veteran's Registration Plate who desire to use handicapped parking facilities may do so when they have a Disabled Person's Handicapped Parking Permit issued in the form of a placard by Maryland, any other state, or the District of Columbia Motor Vehicle Administration.

(1) IAW the Maryland Vehicle Law, a placard will be labeled with "Disabled Person's Parking Permit" displayed within the international wheelchair symbol and contain the permit number, name, signature of issuing authority, expiration date, and any other pertinent information the issuing authority requires.

(2) A permit shall be in form of a placard capable of being hung from the inside rear-view mirror, or a windshield placard may be issued if the vehicle is either not equipped with an inside rear-view mirror or if the inside rear-view mirror is not visible from the rear of the vehicle.

e. Drivers are prohibited from parking in a designated handicap parking spot unless the vehicle displays a valid current State or Fort Detrick issued handicap placard, permit, or disabled driver license plate issued to a handicapped individual who is a passenger or driver of the vehicle in question [cited as Unauthorized Parking in Handicap Spot].

#### **4-4. Motorcycles, Mopeds, and ATVs**

a. Information required by 32 CFR Section 634.25: For motorcycles and other self-propelled, open, two-wheel, three-wheel, and four-wheel motor vehicles powered by a motorcycle-type engine (including but not limited to motorcycles, motor scooters, mopeds, and all terrain vehicles (ATVs)), the following traffic rules apply:

(1) Headlights will be on at all times when in operation.

(2) A rear view mirror will be attached to each side of the handlebars.

(3) Approved protective helmets, eye protection, hard-soled shoes, long trousers and brightly colored or reflective outer upper garment will be worn by operators and passengers when in operation.

b. Motorcycle operators must have a valid state motorcycle operator's license, must be currently registered, and must display a valid state license plate and valid state inspection sticker (if applicable) issued by the owner's state of residence or the state of Maryland.

c. Motorcycle operators must carry evidence of continuing compliance with minimum requirements of the insurance laws or regulations of the state of Maryland.

d. This paragraph applies to military personnel while riding on or operating a motorcycle on or off the installation.

e. The use of headphones or earphones while operating a motorcycle or other type of motor vehicle on the installation is prohibited

f. Military personnel, family members, civilian employees of the Department of the Army, or contractors must successfully complete a certified Motorcycle Operator Skill Test (MOST) or equivalent course recognized by the Installation Safety Officer. Commanders may, in

writing, authorize military personnel, family members, or civilian employees to operate a motorcycle without such testing from the time of their arrival until the next available MOST or other approved course.

g. No off-road motorcycle, ATV, or other type of motor vehicle riding is permitted on the installation unless authorized by the Deputy Installation Commander.

h. Employees will be offered the Army-approved Motorcycle Safety Course twice (at no expense). The names of those who did not participate will be forwarded to the Provost Marshal Office for suspension of their on-post motorcycle driving privileges.

i. The provisions of DODI 6055.4, Enclosure 3, Subsection E3.2 (Motorcycle Safety) are incorporated herein and are reprinted in Appendix E to this regulation. Individuals who fail to comply with the requirements of Appendix E commit the offense of "Driving While Failing to Comply with Mandated Motorcycle Safety Requirements".

#### **4-5. Restraint Systems**

a. Restraint systems (seat belts) will be worn by all operators and passengers of U.S. Government vehicles on or off the installation. 32 CFR Section 634.25(c)(2)(i).

b. Restraint systems will be worn by all civilian personnel (family members, guests, and visitors) driving or riding in a POV on the installation. 32 CFR Section 634.25(c)(2)(ii).

c. Restraint systems will be worn by all military service members and Reserve Component members on active Federal Service driving or riding in a POV whether on or off the installation. 32 CFR Section 634.25(c)(2)(iii).

d. Infant/child restraint devices (car seats) will be required in POVs for children 4 years old or under (irrespective of their weight) and also for children not exceeding 45 pounds in weight (irrespective of their age). 32 CFR Section 634.25(c)(2)(iv).

e. Restraint systems are required only in vehicles manufactured after model year 1966. 32 CFR Section 634.25(c)(v).

f. Individuals will not ride in seats from which manufacturer-installed occupant restraints have been removed or rendered inoperative.

g. Separate citations may be issued to a driver to account for every child under age 16 who is not restrained in the car by a car seat or seat belt (as required above).

#### **4-6. Traffic Accident Procedures**

a. Drivers involved in any traffic accident will stop immediately as close to the scene as safely and reasonably possible. They must report the accident to the Provost Marshal Office as soon as possible, giving their name, grade, organization and/or address, and location of the accident.

b. A driver involved in a traffic accident will give his/her name, address, vehicle identification number and show his/her driver's license when requested by an injured person, or by any occupant of a vehicle collided with, or by any person acting for such person(s).

c. Any other person in a vehicle involved in an accident, witnessing or discovering an accident will take the above actions. In all cases, vehicle occupants or other witnesses will provide their name, organization or address, and telephone number to investigative personnel who arrive on the scene and to the drivers of any vehicles involved in the accident.

d. When a driver of any vehicle is physically incapable of complying with these reporting requirements and another occupant of the vehicle is capable, such occupant will make the necessary report.

e. All vehicle accidents, regardless of damage to vehicles or property or injury, will be reported to the Fort Detrick Provost Marshal Office.

f. The driver of any military vehicle involved in an accident off-post will give aid, properly identify himself/herself, and notify the appropriate state, county, township, or other police department. He/she will then notify the nearest Provost Marshal Office, giving his/her name, unit, motor pool and location of accident.

g. The procedures pertaining to accident reports and investigations are set forth in AR 190-5, para 4-6.

#### **4-7. Emergency Vehicles**

These provisions are intended to facilitate movement of emergency vehicles under emergency conditions. These provisions do not protect the driver of an emergency vehicle in the event of his/her reckless disregard for the safety of others.

a. Drivers of emergency vehicles will observe all traffic regulations, except when in a genuine emergency or pursuant to the apprehension of the violator or suspected violation. They may park in any location, proceed past red lights or stop lights, and make unauthorized turns if

the vehicle is under control and the maneuver does not endanger life and property. They may also exceed posted speed limits by a reasonable margin (normally not more than 25 MPH) if the vehicle is under control and the speed does not endanger life or property, if audible or visible emergency signals are in use.

b. No driver of a vehicle, other than an emergency vehicle, will follow closer than 500 feet when following a fire apparatus proceeding to a fire, nor will any driver drive into or park within the block where fire apparatus has stopped in answer to a fire. Vehicles will not be driven over an unprotected fire hose without the consent of a fire department official.

c. Upon the approach of an emergency vehicle using both an audible and visible emergency signal, the driver of any other vehicle will yield the right-of-way and immediately drive to the extreme right side of the roadway clear of any intersection and permit the emergency vehicle to pass.

#### **4-8. Bicycle Traffic**

a. Violations of Paragraph 4-8 will not be referred to the United States Magistrate Judge (i.e. Bicycle traffic violations may be cited via DD Form 1408 but not DD Form 1805).

b. Obedience to traffic devices: Bicyclists will obey all traffic signals, signs, and/or devices. Wherever turns are not permitted, a bicyclist may turn only by dismounting and obeying regulations pertaining to pedestrians.

c. Riding.

(1) Bicyclists will not carry any other person on a bicycle, except that tandem bicycles may carry as many passengers as there are seats and sets of pedals. Bicycle infant seats that are determined by the Provost Marshal to make operation of the bicycle unsafe will be removed.

(2) Bicyclists will not ride other than upon or astride the bicycle seat, except that standing on pedals is permitted.

(3) Bicyclists will ride as near to the right-hand side of the roadway as practicable, taking care when passing a standing vehicle or one proceeding in the same direction.

(4) No more than two bicyclists will ride abreast.

(5) Bicyclist riding upon sidewalks will yield right-of-way to pedestrians and will give audible signal before passing pedestrians.

(6) Bicyclists exiting from an alley or driveway will come to a complete stop and will yield the right-of-way to approaching traffic.

(7) Bicyclist will not be parked upon a street or sidewalk, which would obstruct traffic or pedestrian flow.

(8) Bicycles used at night will be equipped with bicycle headlight and taillight or red reflector.

(9) Every bicycle will be equipped with a brake capable of skidding the brake wheel on a dry, level, clean pavement.

(10) Children will not be permitted to ride bicycles that are too large for them to handle safely.

(11) Persons riding upon bicycles of all types, roller skates, sleds or toy vehicles will not be towed or pushed by any other vehicles under any circumstances.

(12) All personnel, to include family members, who ride bicycles on military installations will wear a bicycle helmet.

(13) All personnel who ride bicycles on military installations or on official government business will wear a bicycle helmet.

(14) Workers operating bicycles in areas that require the use of ANSI-approved helmets (hard hats) for protection from falling and flying objects are allowed to use those helmets instead of approved bicycle helmets.

#### **4-9. Pedestrian and Running Policy**

Violations of paragraphs 4-9.1 and 4-9.2 will not be referred to the United States Magistrate Judge (i.e. Pedestrian and Running Policy violations may be cited via DD Form 1408, but not DD Form 1805).

##### **4-9.1 Pedestrian Traffic**

Provisions of this paragraph govern pedestrian traffic on the installation and apply to all persons walking on roadways.

- a. Pedestrians will obey all traffic control signals necessary for safe walking.
- b. Pedestrians crossing a roadway, other than at an intersection or marked crosswalk, will yield the right-of-way to all approaching vehicles.
- c. Pedestrians, including small troop details, will use sidewalks when available. When sidewalks are not available, the left side of the road, facing oncoming traffic will be used.
- d. Foot troops in columns have the right-of-way over all traffic, except emergency vehicles, and will march in columns not greater than two abreast. Columns of three abreast will be permitted during morning parade and while marching to and from ceremonies. All marching formations will march on the right side of the road as near the curb or shoulder as practical. No element of the formation will extend on or to the left of the center line. Unit commanders are responsible for safe movement of foot troops and will:
  - (1) Provide flank guards to halt traffic from all directions when crossing roadways or intersections.
  - (2) Use flank movements to cross roadways.
  - (3) Avoid heavily traveled roadways whenever possible.
  - (4) Ensure that adequate safety precautions are taken during night marches to warn approaching traffic of the presence of troops. As minimum acceptable precautions, one road guard will march not less than 100 feet in front of the column and one road guard will march not less than 100 feet behind the column, each equipped with a reflective vest. These guards and other soldiers performing similar duties during night and other periods of poor visibility will be furnished flashlights and canvas luminous belts and will slow and, if necessary, stop traffic to warn drivers of the presence of troops.
- e. Hitchhiking. Soliciting of rides on roadways within the installation by signaling vehicles in any manner or by standing or walking on the traveled portion of the roadway in the direction of traffic is prohibited. This provision does not preclude acceptance of voluntary offers of rides.

#### **4-9.2. Running Safety**

When running on roads, joggers will observe the following:

a. Will wear appropriate bright-colored clothing and/or florescent or reflecting personal protective equipment during periods of reduced visibility. Will not use headphones or earphones while running / jogging (because it impairs recognition of emergency signals, alarms, announcements, the approach of vehicles, and human speech).

b. Will use sidewalk areas, where available, and will not obstruct traffic flow by running on the roads where sidewalks are available.

c. Will cross intersections and roads at the location of traffic control devices or marked crosswalks when available. When signals and crosswalks are not available, will yield to traffic.

d. Will observe all pedestrian control signals.

e. Will run in the opposite direction of traffic flow when not running as part of a formation.

f. Runners in groups of six or more will be considered a formation, and will observe the following.

(1) A minimum of two front and two rear guards wearing reflective equipment will be employed in all formations. Persons in charge of formations are responsible for ensuring road guards are properly posted at the front and rear of running formations, astride the formation, halting the traffic as roads are crossed.

(2) All road guards and/or personnel running outside the mass of a formation will be equipped with functioning flashlights during all runs conducted during the hours of darkness or other times of reduced visibility.

(3) Military personnel participating in physical training (PT) will observe the following:

(a) No formation will exceed three abreast when running on the installation's public roads.

(b) No part of the formation will extend into the left lane or straddle the center line of the road.

(c) Road guards will be posted to the front and rear of the formation to alert vehicular traffic to slow down.

(d) Road guards will wear reflective vests, and during hours of darkness, will carry flashlights.

(e) Individual stragglers from the military formation that are not accompanied by a road guard will follow the guidelines set forth in paragraph f(2) above.

(f) When running in groups, there will be a minimum of one (1) soldier in the group to serve as the road guard and adhere to the requirements set forth in paragraph 1c, above.

(4) Personnel in charge of each formation are responsible for directing or assisting vehicles to pass the formation from the front or the rear.

#### **4-10. Speed Restrictions**

a. Unless otherwise posted by sign or otherwise provided below, the speed limit on all streets and roadways throughout the installation is 25 MPH.

b. The speed limit in housing areas is 15 MPH, unless otherwise posted.

c. A 10 MPH speed limit will apply when approaching and passing within one block of troops marching or running in formation. For the purpose of this provision, a "block" is defined as the distance running from an intersection of two named streets to the next successive intersection of a named street (e.g., Block running from Ditto and Porter to Doughten and Porter).

d. The speed limit is 10 MPH in all parking lots and roads designated as service roads.

e. Except for safety, no person shall drive a vehicle at such a reduced speed that impedes the normal, orderly flow of traffic.

f. In addition to the specific speed restrictions imposed by this traffic regulation, no person shall drive a vehicle at a greater rate of speed than is reasonable and prudent under prevailing conditions and without due regard for actual and potential hazards.

##### **4-10.1. Prohibited Use of Radar/Laser Speed Detector**

The use of radar or laser detection devices to indicate the presence of speed recording instruments or to transmit simulated erroneous speeds is prohibited on Fort Detrick, and on other DOD installations pursuant to DODI 6055.4. This prohibition does not apply to the authorized use of speed detectors by law enforcement officials.

#### **4-11. Driver Distractions and Prohibition on Driving on Fort Detrick while Using a Hand-held Cell Phone or while Viewing Video, PDA, or "BlackBerry" Type Screens**

a. Vehicle operators on a DoD Installation and operators of Government owned vehicles (both on and off of a DoD Installation) will not use cell phones unless the vehicle is safely parked or unless they are using a hands-free device. The wearing of any other portable headphones, earphones, or other listening devices (except for hand-free cellular phones) while operating a motor vehicle is prohibited. Use of those devices impairs driving and masks or prevents recognition of emergency signals, alarms, announcements, the approach of vehicles, and human speech. The DoD Component safety guidance should note the potential for driver distractions such as eating and drinking, operating radios, CD players, global positioning equipment, etc. Whenever possible this should only be done when the vehicle is safely parked. See 32 CFR Section 634.25 paragraph (c)(3). Use of a hands-free accessory (ear receiver) for cell phone use is only authorized in those instances where the operator is capable of hearing from the ear which does not contain the portable ear receiver.

b. Drivers are prohibited from viewing DVD / Video monitors (including “BlackBerry” type or personal data assistant (PDA) device monitors) in the course of driving any vehicle.

c. Nothing in this provision may be used as authority to issue a DD Form 1805 (US District Court Violation Notice) to an emergency responder for using hand-held radios while exercising appropriate due care in the operation of emergency vehicles. For the purpose of this regulation, the term “emergency responders” is defined to include: police, security personnel, military police, firefighters, emergency maintenance personnel, USAG DIS maintenance personnel, range safety personnel (on active shooting ranges), or hazardous materials handlers operating in immediate clean up situations.

#### **4-12. Vehicle Movement Restrictions**

a. Drivers must come to a full and complete stop before proceeding past a stop sign or stop line.

b. Drivers at a stop sign will yield the right of way to traffic not restricted by a stop sign.

c. Drivers at intersections controlled by multiple stop signs will yield the right of way to other drivers who preceded the arrival of the driver at the intersection.

d. Drivers will yield the right of way at intersection crosswalks occupied by pedestrians.

e. Drivers will stop and yield the right of way to any school bus, ambulance, fire truck, or police vehicle displaying flashing lights.

f. Drivers will use proper safety equipment when otherwise required by State Law for similar driving activity off post (e.g. turn signals, windshield wipers accompanied by headlights in rain and snow, headlights between dusk and dawn).

g. Drivers will comply with any traffic control device.

h. Drivers will not willfully disobey the orders of the police and security guards on Fort Detrick.

#### **4-13. Mandate for Current Insurance and Motor Vehicle Agency Issued Licensing and Registration**

Drivers are prohibited from operating a vehicle, if:

a. The vehicle is not currently covered by vehicle insurance required to permit the operation of the vehicle in the State of Maryland. Note: neither this provision nor paragraph 4-13b apply to vehicles owned by the United States Government.

b. The vehicle does not have or does not display the current motor vehicle registration tags (license plates and MVA decals) issued for that vehicle by either the State of Maryland or the legal US State of residence of the driver (if the driver is either a US uniformed services member or transient visitor to Maryland) who owns the vehicle. Note that both the current front and rear plate must be displayed on any vehicle registered in a state requiring display of front and rear plates.

c. The driver is not licensed to drive the class of vehicle being operated either by the State of Maryland or the legal US State of residence of the driver (if the driver is either a US uniformed services member, dependent of a US uniformed services member, or transient visitor to Maryland).

d. The driver does not have a valid current driving license in their possession which was issued by the driver's licensing jurisdiction.

e. The driver's license or privilege to drive has been suspended, canceled or revoked by either the State of Maryland or by the jurisdiction which issued the license to drive. Note: A driver cited for this violation is mandated to appear before a US Magistrate Judge.

#### **4-14. Committing a Driving Violation which would have Constituted a Traffic Offense had the Offense Occurred Off-post**

a. A driver commits an offense subject to citation and prosecution under 32 CFR Section 634.25 if they engage in conduct on the roads or parking lot driving lanes of Fort Detrick which would have constituted a traffic offense in violation of the Annotated Code of Maryland (Transportation Article) had the incident occurred on the roads or highways of Maryland off of Fort Detrick.

b. For the purpose of this traffic code, this provision incorporates the entirety of the Maryland Transportation Article except for the definition of “highway”. For the purpose of this Fort Detrick Traffic Code, “highway” is defined as any road, street, or parking lot on Fort Detrick, but does not include off-street driveways in the designated family housing area of Fort Detrick.

c. Any violation issued on DD Form 1805 pursuant to this subparagraph will be cited as a violation of 32 CFR 634.25, Fort Detrick Reg 190-5, para 4-14 with a cross reference to the pertinent Maryland Transportation Article Offense in question.

#### **4-15. Prohibition on Possession of Firearms or Weapons on Vehicles Driven on the Roads of Fort Detrick**

Drivers are prohibited from driving a motor vehicle on Fort Detrick while in possession of a firearm or other weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, **except that such term does not include:** a pocket knife with a blade of less than 2 ½ inches in length; “Leatherman” tool type knives; or multi-purpose knives possessed by tradesman for work purposes. Note: This provision demonstrates that the weapons ban applying to federal facilities under 18 USC 930, likewise applies to vehicles being driven on the roads of Fort Detrick.

### **Section V Administrative Procedures**

#### **5-1. Miscellaneous Motor Vehicle Regulations**

a. As a matter of traffic safety, wearing headphones or earphones is prohibited for motor vehicle and bicycle operators and pedestrians who are on installation roads. This does not negate the requirement for wearing hearing protection when necessary. Drivers who are wearing headphones (other than an authorized hands-free phone accessory) should be cited pursuant to paragraph 4-11 above. Non-drivers who violate this subparagraph will not be referred to the United States Magistrate Judge (and therefore may be cited via DD Form 1408 but not DD Form 1805).

b. Passengers will not be transported in the bed of a vehicle that is transporting oversized items.

c. All military vehicles, when unattended and not in a secure motor pool or other secured authorized area, will be secured in a manner that prohibits unauthorized personnel from placing the vehicle into operation or moving it.

d. Vehicles will not be left unattended except for legitimate parking in authorized parking areas. No person driving or in charge of a motor vehicle will permit it to stand unattended without first stopping the engine; locking the handbrake; removing the key; and, when stopping on any grade, turn the front wheels to the curb or the side of the roadway. In the event a person's vehicle undergoes a mechanical failure, thus preventing the vehicle from being moved immediately, the driver will take action to prevent the vehicle from obstructing traffic, and will notify the Fort Detrick Provost Marshal Office immediately of the location of the vehicle and the expected time of removal.

e. Leaving children under the age of eight years or pet(s) unattended in a parked vehicle is prohibited.

f. Vehicles will not be driven in reverse unless the driver has checked the right-of-way for pedestrians, vehicles or other obstructions to the rear and both sides. Military vehicles, two tons and larger, comparable civilian vehicles, and any vehicles from which the driver cannot see in all directions while backing, will have a ground guide to the rear of the vehicle.

g. The owner of a vehicle is responsible for his/her vehicle at all times and will not knowingly lend or allow his/her vehicle to be operated on the installation by a person who does not have a valid driver's license or learner's permit. Neither will they allow one who is under the influence of alcohol or drugs, or has known physical or mental defect that could reasonably be expected to impair his/her ability to safely operate the vehicle.

h. No owner will lend, lease or use his/her vehicle to transport passengers for compensation, except as provided for in other pertinent regulations and state and local laws.

i. No person will transport in any vehicle on Fort Detrick any intoxicating beverage except in its original package or container that is unopened and the seal intact. An opened package or container can be locked in the rear trunk or rear compartment or any other locked outside compartment if not accessible to the driver or any other person in the vehicle while it is in motion.

j. No person will consume or have opened any intoxicating beverage while he/she is in or on any vehicle located on the installation, whether vehicle is stationary or in motion.

k. All vehicles located on the installation are subject to search when there is probable cause, or when authorized by the Deputy Installation Commander, in accordance with command authority to direct inspections (AR 190-13 and AR 190-30). Persons not subject to the UCMJ who refuse to consent to a search may be immediately denied entry to the installation by gate security or law enforcement personnel, and thereafter may be barred from the installation.

l. No person will perform major repairs or overhauls of POVs in parking lots or other unauthorized areas on the installation except for the installation Self-Help Garage. Individuals in the unaccompanied enlisted personnel housing area are also covered by this restriction. Major repairs are those repairs taking longer than 90 minutes to complete. Note: personnel may add fluid to ensure a vehicle is operated safely, however, in the event that the vehicle has a fluid leak, the operator is prohibited from adding the same fluid on multiple occasions without first obtaining proper repair of the vehicle.

m. No vehicle will be pushed by another vehicle on the installation. When one vehicle is towing another, the connection will not exceed 15 feet. A drawbar will be used to tow vehicles with power brakes. Except in emergency situations, no vehicle will be towed during the hours of darkness. Vehicles being towed must have operable brake lights. When one vehicle is towing another and connection consists of a chain, rope or cable, there will be displayed, upon such a connection, a white flag or cloth, not less than 12 inches square.

n. Oversized, recreational vehicles, boats, and privately owned residential type mobile trailers may not be parked on Fort Detrick, except within the MWR recreational vehicle lot, and only then with the authorization of the US Army Garrison, Directorate of Morale, Welfare, and Recreation, 1520 Fort Detrick, MD 21702. The housing and unaccompanied enlisted personnel housing areas are also covered by this parking restriction. Only authorized MWR patrons may use the MWR residential vehicle lot. Non-residential trailers (including commercial storage type trailers) are prohibited on Fort Detrick without the express authorization of the Commander, US Army Garrison. At no time may a recreational vehicle serve as living quarters for any Fort Detrick personnel.

## **5-2. Vehicle Impoundment and Towing Policy**

a. POVs may be impounded and/or towed, when necessary.

(1) Implied consent to impoundment. As per AR 190-5, paragraph 2-3, any person granted the privilege to operate or register a motor vehicle on a military installation shall be

deemed to have given his or her consent for the removal and temporary impoundment of the POV when: (a) it is parked illegally or for unreasonable periods (as determined by the delegated authority herein to the USAG Commander, and Director of Emergency Services, or other applicable authority); (b) it interferes with military operations, creating a safety hazard; (c) it is disabled by accident; (d) it is left unattended in a restricted or controlled area; or (d) it is abandoned. Such persons further agree to reimburse the United States for the cost of towing and storage should their motor vehicle be removed or impounded. Authority to make determinations pertaining to the existence of these conditions is delegated to the USAG Commander, and the Director of Emergency Services.

(2) The policies and procedures pertaining to vehicle impoundment are set forth in AR 190-5, Chapter 6. Consistent with that directive the following applies:

(a) POVs will not be impounded unless they clearly interfere with on-going operations or movement of traffic, threaten public safety or convenience, are involved in criminal activity, or are stolen or abandoned.

(b) The impoundment of a POV is inappropriate when reasonable alternative to impoundment exists.

(i) Attempts should be made to contact the owner of the POV and have the vehicle removed.

(ii) The vehicle may be moved a short distance to a legal parking area and temporarily secured until the owner is located.

(iii) Another responsible person may be allowed to drive or tow the POV, with permission from the owner, operator, or person empowered to control the vehicle. In this case, the owner, operator, or person empowered to control the vehicle will be informed that the law enforcement personnel are not responsible for safeguarding the POV.

(c) Impoundment of POVs is justified for the following conditions:

(i) The vehicle is illegally parked:

(a) When double-parked on a street and interferes with the orderly flow of traffic.

(b) When parked on a sidewalk, within an intersection, on a crosswalk, in a fire lane, or is blocking a driveway, so that the vehicle interferes with operations or creates a safety hazard to other roadway users or the general public. An example would be a vehicle parked within 15 feet of a fire hydrant or blocking a properly marked driveway of a fire station.

(c) When blocking an emergency exit door of any public place (Community Activities Club, dining facility, Health Clinic, or other facility).

(d) In a "tow-away" zone that is so marked with proper signs.

(ii) The vehicle interferes with:

(a) Street clearing or snow removal operations, and attempts to contact the owner have been unsuccessful.

(b) Emergency operations, such as a natural disaster or fire, or to remove debris from the disaster area during cleanup operations.

(iii) The POV was involved in a crime or contains evidence of criminal activity.

(iv) The owner or person in charge of vehicle has just been apprehended and is unable or unwilling to arrange for the vehicle's custody or removal.

(v) The POV is mechanically defective and is a menace to others using public roadways.

(vi) The POV is disabled by a traffic accident, and the operator is either unavailable or physically incapable of having the vehicle towed to a place of safety for storage or safekeeping.

(vii) Law enforcement personnel reasonably believe that the vehicle is abandoned. Vehicles with expired or no safety inspection and/or registration, or those not operated for a period of several days due to mechanical breakdown or absence of the owner may be considered abandoned.

b. Procedures for impoundment (unattended POVs):

(1) DD Form 2504, Abandoned Vehicle Notice, will be conspicuously placed on POVs considered abandoned. This action will be documented by an entry in the Police Blotter.

(2) The Director of Emergency Services, USAG Fort Detrick, must authorize the impoundment/towing of any vehicle.

(3) 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, the Director of Emergency Services, USAG is authorized to direct its removal by the contracted wrecker service. If a contracted wrecker is used, a DD Form 2505, Abandoned Vehicle Removal Authorizations, will be completed and issued to the contractor by the installation law enforcement office. A vehicle may be towed or impounded without notice to the owner if its presence presents a traffic hazard or is parked in a tow-away zone.

(4) The Director of Emergency Services, USAG Fort Detrick, must authorize the impoundment/towing of any vehicle.

(5) 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, the Director of Emergency Services, USAG is authorized to direct its removal by the contracted wrecker service. If a contracted wrecker is used, a DD Form 2505, Abandoned Vehicle Removal Authorizations, will be completed and issued to the contractor by the installation law enforcement office. A vehicle may be towed or impounded without notice to the owner if its presence presents a traffic hazard or is parked in a tow-away zone.

(6) After removing the vehicle, the installation law enforcement official or the contractor will complete DD Form 2506, Vehicle Impoundment Report, as a record of actions taken.

(a) An inventory listing personal property will be completed to protect the owner, the law enforcement personnel, the contractor, and the commander or supervisor of the owner of the vehicle.

(b) The contents of a closed container, such as a suitcase inside the vehicle, need not be inventoried. Such articles should be opened only if necessary to identify the owner of the vehicle or if the container might contain explosives or otherwise present a danger to the public. Merely listing the container and securing it with security tape will suffice.

(c) Personal property must be placed in a secure area for safekeeping.

(d) DD Form 2507, Notice of Vehicle Impoundment, will be forwarded by certified mail to the address of the last known owner of the vehicle to advise the owner of the impoundment action and request information concerning the owner's intentions pertaining to the disposition of the vehicle. Note: the warning of sale or disposition required by 10 USC 2575 (see subparagraph e(3) below) may be incorporated with the DD Form 2507 notification package.

c. Stolen privately owned vehicles or vehicles involved in criminal activity:

(1) When a POV is to be held for evidentiary purposes, the vehicle will remain in the custody of the appropriate law enforcement agency until law enforcement purposes are completed.

(2) Recovered stolen POVs will be released to the registered owner, unless held for evidentiary purposes, or to the law enforcement agency reporting the vehicle stolen, as appropriate.

(3) A POV held on request of other authorities will be retained in the custody of the Provost Marshal until the vehicle can be released to such authorities.

d. Procedures for towing and storing impounded vehicles:

(1) Impounded POVs will be towed by the contracted civilian wrecker service. An approved impoundment area belonging to the contracted wrecker service may be used provided the area assures adequate accountability and security of towed vehicles (authorized by AR 190-5, para 6-3).

(2) The Deputy Installation Commander has the authority to designate an enclosed area on the installation that can be secured by lock and key for use as a temporary impoundment lot. One set of keys will be maintained by the Office of the Provost Marshal. The Director of Emergency Services, USAG is authorized to designate whether any particular impoundment/towing will occur on post or at the approved area belonging to the contracted wrecker service.

(3) Temporary impoundment and towing of POVs for violations of this regulation or involvement in criminal activities will be accomplished under the direct supervision of law enforcement personnel.

e. Actions to dispose of the vehicle after lawful impoundment:

(1) If a POV is impounded for evidentiary purposes, the vehicle can be held for as long as the evidentiary or law enforcement purpose exists. The vehicle must then be returned to the owner without delay, unless directed otherwise by competent authority.

(2) If the vehicle is unclaimed after the period specified in AR 190-5 para 6-6 from the date notification was mailed to the last known owner or the owner released the vehicle by properly completing DD Form 2505, the vehicle will be disposed of by one of the following procedures:

(a) Release to the lien-holder, if known.

(b) Processed as abandoned property in accordance with DOD 4160.21-M, paragraph 40 (which specifies procedures which may ultimately result in the sale or other disposition of abandoned property which is in the possession of the U.S. government at the expiration of 45 days after the date when the notice required by 10 USC 2575, giving the time and place of the intended sale or other disposition, has been sent by certified or registered mail to that person at his or her last known address).

(3) All contracts for the disposal must comply with 10 USC 2575. The Director of Emergency Services, USAG, will ensure that the notice of impoundment / towing of abandoned vehicle also includes the following (or a similar notice) sent by certified or registered mail to the owner, at his or her last known address:

“Under the law, 10 USC 2575, you are hereby advised that the property described above shall be sold or otherwise disposed of at (location, on [approximate date at least 45 days into the future]). A request for the return of the property shall be honored, if received before the time specified. Request for return of the property after the specified time shall be honored only if disposition has not been made.”

(4) If diligent efforts have failed to identify an owner, the property will be disposed of without delay following the procedures of DOD 4160.21-M, except that if the property is valued at a fair market value of more than \$300, the item may not be disposed of until 45 days after the date it is received at the designated storage point (10 USC 2575(a)).

### **5-3. Driving Records and the Traffic Point System**

Driving records will be maintained in accordance with Chapter 5, AR 190-5, on all personnel cited for violations of this regulation. Violations of the installation traffic code will result in assessment of traffic points. The traffic point system is discussed in further detail in Appendix B to this regulation.

## **Section VI**

### **Policy on Violations Enforceable via US District Court Violation Notice or Armed Forces Traffic Ticket**

**6-1.** Those individuals delegated law enforcement authority on Fort Detrick have the discretion to cite violations of this regulation (as authorized by DOD Directive 5525.4, and 32 CFR Section

634.25, and 40 USC Section 1315 (the successor statute to 40 USC 318c both of which grant authority to delegate law enforcement authority to the DOD)), Federal Law, and those provisions of Maryland Law subject to 18 USC Sections 7 and 13. All portions of Fort Detrick which fall within the jurisdiction of the US Army (including the family housing units operated by GMH) are within the Special Maritime and Territorial Jurisdiction of the United States within the District of Maryland.

Accordingly, traffic violations may be cited as follows:

- a. Violations of the Federal Criminal Code – citing the pertinent federal provision, or
- b. In the absence of an on-point Federal Criminal Code offense, violations of the State Criminal Code, assimilated pursuant to 18 U.S.C. Sections 7 and 13, or
- c. Violations of this regulation (the Fort Detrick Traffic Code), cited according to the regulatory paragraph in question (e.g. Violation of 32 CFR 634.25(c), Ft Detrick Reg 190-5, Para 4-11, Driving While Using Handheld Phone).

**6-2.** Punishments for cited violations of the Fort Detrick Traffic Code: If a traffic violation is cited under this traffic code, the punishment for said violation is set forth at 32 C.F.R. Section 634.25(f). As such, violations constitute federal misdemeanor offenses which could result in the maximum punishment of a fine and/or incarceration for up to 30 days (as determined by a United States Magistrate Judge). Note that violations cited pursuant to the Federal Criminal Code or the Assimilative Crimes Act (18 USC Sections 7 and 13) are subject to different penalties. Individuals who violate this regulation are also subject to administrative actions which could include: actions pursuant to AR 190-5 (driving points, restrictions, on-post driving privilege revocation, etc.); employment discipline; and other administrative sanctions authorized by law.

**6-3.** As per AR 190-5, para 4-9a, offenses occurring when the operator is driving a government vehicle **will not be referred** to a United States Magistrate Judge, instead these violations should be cited via an Armed Forces Traffic Ticket (DD Form 1408).

#### **6-4. Mandatory Identification of Unit Affiliation and Notification to Unit Commanders**

When a military member or DOD civilian employee is issued any traffic citation (DD Form 1805 or DD Form 1408), the citing officer must annotate the ticket to clearly show the military unit of the offender. Furthermore, pursuant to AR 190-29, para 3-5, and AR 190-5, para 4-9, the Office of the Provost Marshal will properly notify the unit commander that the military member/DOD civilian employee has received a citation.

17 February 2006

\*Fort Detrick Regulation 190-5

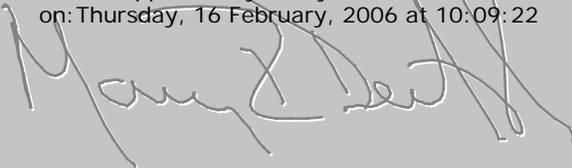
**Section VII**  
**Savings Provision**

**7-1. Savings Provision**

To the extent that any provisions set out in this Fort Detrick Regulation are in conflict with provisions of federal law or regulations, the conflicting provisions shall be deemed inoperative solely to the extent of the conflict.

FOR THE COMMANDER:

Signature Authenticated by ApproveIt,  
Approved by: Mary R Deutsch,  
on: Thursday, 16 February, 2006 at 10:09:22



MARY R. DEUTSCH  
Colonel, MS  
Deputy Installation Commander

DISTRIBUTION: A

## APPENDIX A

### Fort Detrick Parking Plan

1. The general policy for parking at Fort Detrick is that as much parking as possible will be designated as open parking (first-come, first-served).
2. Each military general or field grade commander, their sergeant major and second in command are authorized to have one reserved parking space at their headquarters.
3. Each company grade commander and their first sergeant are authorized to have one reserved parking space in their company area.
4. If a building has no residing military commander (e.g., DIS, DMWR, USAMRAA), the civilian director is authorized one reserved parking space. If there is more than one director located in the same building (with no residing military commander) then the senior most individual is authorized the reserved parking space. This also applies to field operating agencies and non-DoD agencies located on Fort Detrick.
5. Each headquarters, and company area is authorized, in addition to the above, two reserved parking spaces each for Military Vehicles and Visitors. Handicapped spaces will be governed IAW Maryland vehicle code (based on total number of spaces per lot).
6. All requests for additional reserved parking spaces must be submitted on a work order request (EHSC FM 4283-1) along with a justification in memorandum format, to the Provost Marshal Office (PMO). The work order request will be considered based upon review of the justification and will be coordinated with the Directorate of Installation Services (DIS) prior to forwarding to the Deputy Installation Commander for approval. Upon approval, the work order will be forwarded to the DIS for implementation. If disapproved, copies will be returned to the requesting unit. Copies for the approved/disapproved parking requests will be kept on file by PMO and the requesting unit.
7. All approved parking spaces must be made and marked by the Directorate of Installation Service, only after approval by the Garrison Commander. All marking must comply with the standards set in the Manual for Traffic Control Devices.
8. Compliance with this regulation will provide the installation with an effective means of utilizing parking that is available to its fullest extent. Reserved parking will be enforced by the PMO.
9. Emergency vehicles responding in an emergency capacity will have no parking restrictions.
10. Individuals who are not authorized a reserved space will park in the area designated by the senior building occupant for "first-come, first-served" general parking applicable to that building. When snowfall is forecast, the senior building occupant is authorized to direct individuals to congregate parking in certain areas to facilitate snow removal operations.

## **APPENDIX B**

### **Traffic Points**

Traffic points will be assessed as prescribed in Chapter 5, AR 190-5. Accumulation of points in excess of limits established in AR 190-5 may result in the withdrawal of installation driving privileges. The point system applies to all operators of vehicles (either privately owned or government owned or leased) cited via Armed Forces Traffic Ticket (DD Form 1408) or United States District Court Violation Notice (DD Form 1805) for offenses committed on the installation. The point system also applies to off-post incidents committed by operators of U.S. Government motor vehicles. Points will be assessed pursuant to AR 190-5, Table 5-2, when the person is found to have committed a violation and the finding is by either the unit commander, civilian supervisor, a military or civilian court (including a U.S. Magistrate Judge), or by payment of fine, forfeiture of pay or allowances, or posted bond, or collateral, (see, AR 190-5, paragraph 5-3).

The Garrison Commander may take the following driver improvement measures as appropriate:

- (1) Advisory letter through the unit commander or supervisor to any person who has acquired six traffic points within a six-month period.
- (2) Counseling or a driver improvement interview must be conducted by the unit commander, of any person who has acquired more than six but less than 12 traffic points within a six-month period. This counseling or interview should produce recommendations to improve driver performance.
- (3) Referral for medical evaluation when a driver, based on reasonable belief, appears to have mental or physical limits that have had or may have an adverse affect on driving performance.
- (4) Attendance at remedial driver training to improve driving performance.
- (5) Referral to an alcohol or drug treatment or rehabilitation facility for evaluation, counseling or treatment. This action is required for active military personnel in all cases in which alcohol or other drugs are a contributing factor to a traffic citation, incident, or accident.
- (6) An individual's driving privileges may be suspended or revoked as provided by this regulation regardless of whether these improvement measures are accomplished.
- (7) Persons whose driving privileges are suspended or revoked (for one violation or an accumulation of 12 traffic points within 12 consecutive months, or 18 traffic points within 24 consecutive months) will be notified in writing through official channels (AR 190-5, para 2-6).

Except for the mandatory minimum or maximum suspension or revocation periods prescribed by AR 190-5, Table 5-1, the Deputy Installation Commander will establish periods of suspension or revocation. Any revocation based on traffic points must be no less than six months. A longer period may be imposed on the basis of a person's overall driving record considering the frequency, flagrancy, severity of moving violation, and the response to previous driver improvement measures. In all cases, military members must successfully complete a prescribed course in remedial driver training before driving privileges are reinstated.

(8) Points assessed against a person will remain in effect for point accumulation purposes for 24 consecutive months. The review of driver records to delete traffic points should be done routinely during records update while recording new offenses and forwarding records to new duty stations. Completion of a revocation based on points requires removal from the driver record of all points assessed before the revocation.

(9) Removal of points does not authorize removal of driving record entries for moving violations, chargeable accidents, suspensions, or revocation. Recorded entries will remain posted on individual driving records for the period of time indicated below.

- (a) Chargeable nonfatal traffic accidents or moving violations - three years.
- (b) Non-mandatory suspensions or revocations - five years.
- (c) Mandatory revocations - seven years.



## APPENDIX C

### **Collateral Forfeiture Schedule for US District Court Violation Notice Issued for Offenses Cited Pursuant to 32 CFR Part 634 (Fort Detrick Traffic Code)**

1. This Appendix only pertains to violations cited on a United States District Court Violation Notice (DD Form 1805) asserting violations of 32 CFR §634.25, Fort Detrick Reg 190-5 (Installation Traffic Code). Violations citing other provisions of Federal Law or the Assimilative Crimes Act are processed following the procedures set forth in AR 190-29.
2. For individuals who are cited for Driving While License or Privileges to Drive are Suspended, Revoked or Canceled in violation of Fort Detrick Reg 190-5 para 4-13(e) [32 CFR §634.25], the violation notice should be **marked as mandating the appearance of the violator in court**. There is no collateral forfeiture authorized.
3. For all other violations of Fort Detrick Reg 190-5 [32 CFR §634.25], the citing officer has the discretion under AR 190-29 to mark the violation as either a mandatory appearance offense (due to the potential of incarceration) OR to mark the violation as a collateral offense. If cited as a collateral offense, the officer will annotate the DD Form 1805 to list a \$25 fine (which is accompanied by the mandatory \$25 processing fee printed on the Violation Notice) requiring a total a sum payable of \$50 to the Clerk, United States Courts). Individuals who fail to pay the fine are required to appear at court and are subject to a sentence including jail time and the fine set at the discretion of the judge.

Note that individuals who fail to pay the collateral forfeiture and then fail to appear at court are subject to suspension of their driving privileges both on and off of the installation. The judge may issue a collateral warrant authorizing the arrest of individuals who fail to appear on these cases until such time as the cited fine (plus administrative processing fee) is paid.

## Posting Notices Required by 32 CFR Section 634.25

The following three items of information will be on display to the public at the customer service area of Directorate of Emergency Services, USAG, 1500 Porter Street, Fort Detrick, Maryland 21702 (which constitutes a prominent place accessible to persons assigned, living, or working on the installation and is the location where Fort Detrick identification cards are issued):

### A. Excerpt 32 CFR Section 634.25(f):

“In those States where violations of traffic law are not considered criminal offenses and cannot be assimilated under 18 U.S.C., DODD 5525.4, enclosure 1 expressly adopts the vehicular and pedestrian traffic laws of such States and makes these laws applicable to military installations having concurrent or exclusive Federal jurisdiction. **It also delegates authority to installation commanders to establish additional vehicular and pedestrian traffic rules and regulations for their installations. Persons found guilty of violating the vehicular and pedestrian traffic laws made applicable on the installation under provisions of that directive are subject to a fine as determined by the local magistrate or imprisonment for not more than 30 days, or both, for each violation.** In those States where traffic laws cannot be assimilated, an extract copy of this paragraph (f) and a copy of the delegation memorandum in DODD 5525.4, enclosure 1, will be posted in a prominent place accessible to persons assigned, living, or working on the installation.”

**B. Fort Detrick Regulation 190-5, Fort Detrick Traffic Code, may be viewed on the installation extranet accessed via the following Fort Detrick web page:**  
**<https://installation.detrick.army.mil>** .

**C. Excerpt DOD Directive 5525.4, Enclosure 1. Delegation of Authority to the Secretary of Defense.**

E1. ENCLOSURE 1  
DELEGATION OF AUTHORITY TO THE SECRETARY OF DEFENSE

GENERAL SERVICES ADMINISTRATION  
22

6820-

(D-81- )

DELEGATION OF AUTHORITY TO THE SECRETARY OF DEFENSE

1. Purpose. This delegation authorizes the Secretary of Defense to assist in controlling vehicular and pedestrian traffic on military installations in the United States.

2. Effective date. This delegation became effective on March 20, 1981.

3. Delegation.

a. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, and the Act of June 1, 1948 (62 Stat. 281), as amended, authority is hereby delegated to the Secretary of Defense to make all needful rules and regulations, and to attach to these rules and regulations such reasonable penalties, not to exceed those prescribed in 40 U.S.C. 318c, as will ensure their enforcement for governing vehicular and pedestrian traffic on military installations of the Department of Defense, as defined in 40 U.S.C. 612, in the United States and over which the United States has exclusive or concurrent legislative jurisdiction.

b. The Secretary of Defense may redelegate this authority to any officer, official, or employee of the Department of Defense.

c. This authority shall be exercised in accordance with the limitations and requirements of the above-cited acts, and the policies, procedures, and controls prescribed by the General Services Administration.

4. Effect on other directives. FPMR Temporary Regulation D-28 is revoked.

Dated: JUN 24 1981

(Signed,   
J. P. C. Clemen  
Secretary of Defense

**Note: Any successor delegation of authority issued pursuant to 40 USC Section 1315, DOD Directive 5525.4, and the Homeland Security Act will be posted in lieu of the above document.**

**Excerpt Department of Defense Instruction 6055.4 DoD Traffic Safety Program  
(July 20, 1999), Enclosure 3 Subsection E3 Motorcycle Safety**

**E3.2. MOTORCYCLE SAFETY (HSPG NUMBER 3)**

E3.2.1. Operators of Government and privately owned motorcycles (both street and off-road versions) on DoD installations must be appropriately licensed to operate on public highways (except where not required by the SOFAs or local laws). A valid U.S. Government Motor Vehicle Operator's Identification Card (OF-346) or a Unit Level Logistics System (ULLS) Operator Qualification record fulfills the licensing requirement for operators of tactical motorcycles.

E3.2.2. Where State or local laws applicable to the installation require special licenses to operate privately owned motorcycles, motorized bicycles (Mopeds), motor scooters, or ATVs, such license requirements, as a minimum, shall apply to operation of those vehicles on DoD installations.

E3.2.3. Before operation of any motorcycle, personnel shall successfully complete an approved rider or operator safety course. This training requirement excludes those operating motorcycles with attached sidecars and three-wheel motorcycles.

E3.2.3.1. The safety course must include the following: the appropriate Motorcycle Safety Foundation (MSF) or Specialty Vehicle Institute of America (SVIA) or MSF-based State-approved curriculum taught by certified or licensed instructors; hands-on training; and a performance-based and knowledge-based evaluation.

E3.2.3.2. Training required by this Instruction shall be provided at no cost to military and DoD civilian personnel. Personnel shall not be charged leave to attend training required by this Instruction.

E3.2.3.3. Additional performance based evaluations may be required for off-road recreational operation of privately owned vehicles or vehicles controlled by morale, recreation, and welfare organizations on DoD installations. Privately owned ATV and off-road motorcycle operators should complete training. Operators are also encouraged to complete refresher training before each riding season or after long periods of inactivity.

E3.2.3.4. Curriculum and proficiency training for tactical motorcycles will be tailored to satisfy specific mission objectives. Operators will have previously completed a safety course as required in the above paragraph E3.2.3.1.

E3.2.4. The DoD Components will develop and approve safety requirements tactical motorcycles integrating operational risk management into tactics, techniques, and procedures training when required by military mission.

E3.2.5. When operated on any DoD installation, in both on- and off-road modes, all Government or privately owned motorcycles, Mopeds, motor scooters, and ATVs (when equipped) must have headlights turned on at all times, except where prohibited by military mission, the SOFAs, or local laws.

E3.2.6. Motorcycles, except Government-owned off-road motorcycles on tactical missions or training, shall be equipped with rear view mirrors mounted on the handlebar or fairing.

E3.2.7. Requirements for Personal Protective Equipment (PPE) are as follows:

E3.2.7.1. The following PPE is mandatory for all persons as listed in paragraph 2.2. of the Instruction while operating or riding as a passenger on a motorcycle or ATV.

E3.2.7.1.1. Helmets. Certified to meet Department of Transportation (DOT) standards properly fastened under the chin. If stationed outside CONUS and the host nation does not have an equivalent helmet standard, the helmet will meet the U.S. Department of Transportation standard.

E3.2.7.1.2. Goggles and Face Shields. Impact or shatter resistant goggles or full-face shield properly attached to helmet. A windshield or eye glasses alone are not proper eye protection.

E3.2.7.1.3. Sturdy Footwear is mandatory. Leather boots or over the ankle shoes are strongly encouraged.

E3.2.7.1.4. Clothing. Long sleeved shirt or jacket, long trousers, and full-fingered gloves or mittens designed for use on a motorcycle.

E3.2.7.1.5. Garment Visibility. A brightly colored outer upper garment during the day and a reflective upper garment during the night. Outer upper garment shall be clearly visible and not covered.

E3.2.8. The PPE for Government-owned motorcycle and ATV operators during off-road operations should also include knee and shin guards and padded full-fingered gloves.

E3.2.9. Failure to wear the PPE or comply with licensing or operator training requirements may be considered in making line-of-duty determinations if the injury is from such nonuse of PPE or noncompliance.

## APPENDIX F

### Police Quick Referral of Most Common Offenses

Parking where prohibited [4-1]  
Unauthorized parking in handicap spot [4-3]  
Failure to wear seat belt [4-5b]  
Child under 16 not in seat belt [4-5g]  
Child under 4 (or under 45 pounds) not in safety seat [4-5(d)]  
Speeding [4-10]  
Prohibited use of radar/laser speed detector [4-10.1]  
Driving while using hand-held phone [4-11]  
Driving while viewing video monitor (“BlackBerry” type or PDA) [4-11b]  
Fail to stop at stop sign [4-12a]  
Fail to yield right of way as required at intersection [4-12c] (not waiting turn)  
Fail to stop or yield way to (school bus/ambulance/fire truck/police) [4-12e]  
Fail to use (turn signal / wipers / headlights) as required [4-12f]  
Fail to obey traffic control device [4-12g]  
Willful failure to obey police / security guard [4-12h]  
Driving uninsured vehicle [4-13a]  
Driving unregistered vehicle / vehicle displaying expired tags [4-13b]  
Driving without a license to drive [4-13c]  
Driver does not have current valid license in possession [4-13d]  
Possession of firearms or weapons in vehicle [4-15]  
Driving while license/privilege is suspended, canceled or revoked [4-13e]  
[Note: Susp. / Canc. / Rev. violations are Mandatory Appearance cases.]

Other offenses of adopted from Maryland Transportation Article [4-14]  
(See para 4-14c for guidance on applying this provision)

Fines on collateral offenses are a \$25 fine plus \$25 admin fee for total payment of \$50.  
Citing Officers have discretion to make any violation under FDR 190-5 a mandatory appearance offense. Tickets must identify the military unit of any offender who is a military member or DOD civilian employee.

Violations of this regulation (the Fort Detrick Traffic Code), are cited according to the BOTH the CFR and the FDR 190-5 paragraph in question [e.g. Violation of 32 CFR 634.25(c), Ft Detrick Reg 190-5, Para 4-11, Driving While Using Handheld Phone].

